

**AGENDA**  
**REGULAR MEETING OF COUNCIL**  
**September 30, 2019**  
**6:00 PM**

1. ROLL CALL
2. READING OF MINUTES
3. REPORTS & COMMUNICATIONS FROM MAYOR & HEADS OF DEPARTMENTS AND INTERESTED PARTIES AND CITY CLERK'S NOTES
  - 3.A AGENDA FOR THE CITY PLANNING COMMISSION MEETING HELD SEPTEMBER 25, 2019.  
[Agenda for City Planning Commission Meeting 09-25-19.pdf](#)
  - 3.B AGENDA FOR THE BOARD OF ZONING APPEALS MEETING TO BE HELD OCTOBER 9, 2019.  
  
[Zoning Board Meeting Agenda 10-9-19.pdf](#)
  - 3.C CORRESPONDENCE SENT TO CITY CONTROLLER DATED SEPTEMBER 23, 2019 IN REFERENCE TO AN AUDIT OF THE CITY'S VEHICLE FLEET GAS CARD USAGE.  
  
[Correspondence to City Controller from Council 9-23-19.pdf](#)
  - 3.D RESPONSE RECEIVED FROM CITY CONTROLLER DATED SEPTEMBER 25, 2019 IN REFERENCE TO THE CITY'S VEHICLE FLEET GAS MILEAGE AUDIT.  
  
[Correspondence from City Controller 9-25-19.pdf](#)
  - 3.E CORRESPONDENCE SENT TO MAYOR WAYNE E. EVANS DATED SEPTEMBER 27, 2019 IN REFERENCE TO SALARY ADJUSTMENTS FOR TEMPORARY ASSIGNMENTS.

4. CITIZENS PARTICIPATION

5. INTRODUCTION OF ORDINANCES, RESOLUTIONS,  
APPOINTMENT AND/OR RE-APPOINTMENTS TO BOARDS &  
COMMISSIONS MOTIONS & REPORTS OF COMMITTEES

5.A MOTIONS

- 5.B FOR INTRODUCTION – AN ORDINANCE – AMENDING FILE OF THE COUNCIL NO. 44, 2014 AND FILE OF THE COUNCIL NO. 118, 2015, ENTITLED “AN ORDINANCE AUTHORIZING THE MAYOR AND OTHER APPROPRIATE OFFICIALS OF THE CITY OF SCRANTON TO TAKE ALL NECESSARY ACTIONS TO IMPLEMENT THE CONSOLIDATED SUBMISSION FOR COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS TO BE FUNDED UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM AND EMERGENCY SOLUTIONS GRANTS (ESG) PROGRAM FOR THE PERIOD BEGINNING JANUARY 1, 2015 AND FOR THE PERIOD BEGINNING JANUARY 1, 2016” BY AMENDING THE 2015 ACTION PLAN AND THE 2016 ACTION PLAN BY UTILIZING SIXTY-THREE THOUSAND EIGHT HUNDRED THIRTY ONE DOLLARS AND SIXTY NINE CENTS (\$63,831.69) FROM THE 2015 ACTION PLAN AND SIXTY-THREE THOUSAND SEVENTY ONE DOLLARS AND TWENTY-ONE CENTS (\$63,071.21) FROM THE 2016 ACTION PLAN IN ORDER TO PROVIDE A TOTAL OF ONE HUNDRED AND TWENTY-SIX THOUSAND NINE HUNDRED AND TWO DOLLARS AND NINETY CENTS (\$126,902.90) UNDER THE HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) TO BUILD A TWO (2) UNIT RENTAL HOUSE FOR LOW INCOME FAMILIES IN THE CITY OF SCRANTON OR TO ACQUIRE AND REHAB TWO (2) VACANT HOUSES IN THE CITY OF SCRANTON FOR LOW INCOME FAMILIES BY AND THROUGH THE SCRANTON LACKAWANNA RESOURCES DEVELOPMENT CORPORATION, A SUBSIDIARY OF THE SCRANTON LACKAWANNA HUMAN DEVELOPMENT AGENCY.

- 5.C FOR INTRODUCTION – A RESOLUTION – AUTHORIZING RE-APPOINTMENT OF TARA MAN SHANKAR, 840 WHEELER AVENUE, SCRANTON, PENNSYLVANIA 18510, AS A MEMBER OF THE HUMAN RELATIONS COMMISSION FOR AN ADDITIONAL FOUR (4) YEAR TERM EFFECTIVE SEPTEMBER 12, 2019. MR. SHANKAR’S TERM EXPIRED ON OCTOBER 14, 2018, AND WAS HELD OVER UNTIL SEPTEMBER 12, 2019. HIS NEW TERM WILL EXPIRE ON OCTOBER 14, 2022.

[Resolution-2019 Re Appt Tara Man Shankar to Human Relations Commission.pdf](#)

- 5.D FOR INTRODUCTION – A RESOLUTION – AUTHORIZING RE-APPOINTMENT OF PAUL J. STRUNK, 3 CROSS DRIVE, SCRANTON, PENNSYLVANIA 18505, AS A MEMBER OF THE HUMAN RELATIONS COMMISSION FOR AN ADDITIONAL FOUR (4) YEAR TERM EFFECTIVE SEPTEMBER 12, 2019. MR. STRUNK’S TERM EXPIRED ON SEPTEMBER 16, 2018, AND WAS HELD OVER UNTIL SEPTEMBER 12, 2019. HIS NEW TERM WILL EXPIRE ON SEPTEMBER 16, 2022.

[Resolution-2019 Re Appt Paul Strunk to Human Relations Commission.pdf](#)

- 5.E FOR INTRODUCTION – A RESOLUTION – AUTHORIZING RE-APPOINTMENT OF OM TIMSINA, 809 CEDAR AVENUE, SCRANTON, PENNSYLVANIA 18505, AS A MEMBER OF THE HUMAN RELATIONS COMMISSION FOR AN ADDITIONAL FOUR (4) YEAR TERM EFFECTIVE SEPTEMBER 12, 2019. MR. TIMSINA’S TERM EXPIRED ON SEPTEMBER 16, 2018, AND WAS HELD OVER UNTIL SEPTEMBER 12, 2019. HIS NEW TERM WILL EXPIRE ON SEPTEMBER 16, 2022.

[Resolution-2019 Re Appt Om Timsina to Human Relations Commission.pdf](#)

## 6. CONSIDERATION OF ORDINANCES - READING BY TITLE

- 6.A NO BUSINESS AT THIS TIME.

## 7. FINAL READING OF RESOLUTIONS AND ORDINANCES

- 7.A FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - FILE OF THE COUNCIL NO. 71, 2019 - REPEALING SECTION 1 OF FILE OF THE COUNCIL NO. 12, 2018 OF THE CITY OF SCRANTON AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH AND ADOPTING THE 2015 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS, AND STRUCTURES, BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE CITY OF SCRANTON; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR AND AMENDING SECTION 4 OF FILE OF THE COUNCIL NO. 64 OF 2014 TO REDUCE THE FEE TO FILE AN APPEAL WITH THE HOUSING BOARD OF APPEALS BASED UPON THE TYPE OF MATTER AT ISSUE AND TO PROMOTE RESOLUTIONS OF APPEALS BEFORE PROCEEDING TO HEARING.

[Ordinance-2019 Adopting 2015 International Property Maintenance Code.pdf](#)

- 7.B FOR CONSIDERATION BY THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION - FILE OF THE COUNCIL NO. 72, 2019 - AMENDING FILE OF THE COUNCIL NO. 64, 2014, AN ORDINANCE (AS AMENDED) ENTITLED "AN ORDINANCE ADOPTING THE QUALITY OF LIFE AND VIOLATIONS TICKET PROCESS IN THE CITY OF SCRANTON" TO BE AMENDED IN SECTION 3 BY DELETING NUMBERS 1 THROUGH 7, 20, 21, 25, 26, 28 AND 29 TO REMOVE VIOLATIONS AND IN SECTION 9 TO REDUCE FINES FOR CERTAIN VIOLATIONS AND IN SECTION 10 TO REDUCE THE AMOUNT OF CITATION FINES FOR VIOLATIONS.

[Ordinance-2019 Amend Quality of Life and Violations Ticket Process.pdf](#)

- 7.C FOR CONSIDERATION BY THE COMMITTEE ON PUBLIC WORKS - FOR ADOPTION - FILE OF THE COUNCIL NO. 73, 2019 - AUTHORIZING THE

MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE A DEED OF EASEMENT AND RIGHT OF WAY BETWEEN THE CITY OF SCRANTON (“GRANTOR”) AND LACE BUILDING AFFILIATES, LP (“GRANTEE”) GRANTING TO LACE AFFILIATES, LP THE EASEMENT, RIGHT OF WAY AND RIGHTS AS ARE SET FORTH BELOW WITH RESPECT TO THE PROPERTY, WHICH DEED OF EASEMENT AND RIGHT OF WAY SHALL BE IN THE FORM AS ATTACHED HERETO AS EXHIBIT “A”.

[Ordinance-2019 Deed of Easement Lace Building Affiliates.pdf](#)

- 7.D FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO. 162, 2019 - APPOINTMENT OF ROBERT J. MORRIS, 648 WALES STREET, SCRANTON, PENNSYLVANIA, 18508 AS A MEMBER OF THE BOARD OF ZONING APPEALS FOR THE CITY OF SCRANTON. MR. MORRIS WILL REPLACE ROBERT J. PALMITESSA WHOSE TERM EXPIRED ON JULY 15, 2019. MR. MORRIS’ TERM WILL COMMENCE IMMEDIATELY AND EXPIRE ON JULY 14, 2024.

[Resolution-2019 Appt. Robert Morris to Zoning Board.pdf](#)

- 7.E FOR CONSIDERATION BY THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION - RESOLUTION NO. 163, 2019 - RATIFYING AND APPROVING OF THE EXECUTION AND SUBMISSION OF THE GRANT APPLICATION BY THE CITY OF SCRANTON, ON BEHALF OF THE HUMAN SERVICES ALLIANCE, TO THE COMMONWEALTH OF PENNSYLVANIA ACTING THROUGH THE COMMONWEALTH FINANCING AUTHORITY FOR A LOCAL SHARE ACCOUNT GRANT, PURSUANT TO THE PA RACE HORSE DEVELOPMENT AND GAMING ACT IN THE AMOUNT OF \$350,000.00 FOR THE PROJECT TO BE KNOWN AS “HUMAN SERVICES ALLIANCE - A BUILDING AND GROUNDS IMPROVEMENT PROJECT” LOCATED AT 1509 MAPLE STREET, 823 JEFFERSON AVENUE, 841 JEFFERSON AVENUE, AND THE CORNER OF MYRTLE AND MADISON AVENUE, SCRANTON, PENNSYLVANIA, AND AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS OF THE CITY OF SCRANTON, PA, TO ACCEPT THE GRANT, IF SUCCESSFUL, AND EXECUTE AND ENTER INTO A LOCAL SHARE ACCOUNT GRANT CONTRACT AND COMMITMENT LETTER WITH THE COMMONWEALTH OF PENNSYLVANIA TO ACCEPT AND UTILIZE THE GRANT IN THE AMOUNT OF \$350,000.00 AWARDED BY THE COMMONWEALTH OF PENNSYLVANIA FOR SUCH PROJECT.

8. ADJOURNMENT



## CITY PLANNING COMMISSION

CITY HALL : 340 NORTH WASHINGTON AVENUE : SCRANTON, PENNSYLVANIA 18503 : PHONE 570-348-4280 : FAX 570-348-4171

### CITY PLANNING COMMISSION

September 25, 2019

6:00 PM

Meeting Location  
City Council Chambers 2<sup>nd</sup> Floor  
City Hall  
340 N. Washington Ave.  
Scranton, PA

#### OLD BUSINESS:

1. 1. Review of Final Land Development Plans by Mimi Equities LLC. for the conversion of existing building into 39 apartment units and associated parking at 614 Wyoming Ave. (C-G zone)

#### NEW BUSINESS:

- 1.

RECEIVED  
SEP 20 2019

OFFICE OF CITY  
COUNCIL/CITY CLERK



RECEIVED  
SEP 25 2019

DEPARTMENT OF LICENSING, INSPECTIONS AND PERMITS

OFFICE OF CITY  
COUNCIL/CITY CLERK

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4193 • FAX: 570-348-4171

**THE ZONING HEARING BOARD OF THE CITY OF SCRANTON HEREBY GIVES NOTICE THAT IT WILL CONDUCT A PUBLIC HEARING AT CITY HALL, 340 N WASHINGTON AVE., CITY COUNCIL CHAMBERS (2nd Floor) ON WEDNESDAY, OCTOBER 9, 2019 @ 6 PM, TO CONSIDER, DELIBERATE, DISCUSS AND/OR TAKE OFFICIAL ACTION ON ANY MATTER THAT MAY LAWFULLY COME BEFORE IT AND TO CONSIDER THE FOLLOWING APPLICATIONS:**

- 1) Joseph Bonacci seeks Variance to convert Dental Office into a small scale beer brewing (nano brewery) and tasting room at 1344 N Washington Ave. R-2O zone**
- 2) Peter Spano seeks Variance from to construct a Major Convenience Store (5,000 sf) including 6 gasoline pumps at 1554 Sanderson Ave. (Sanderson Ave. and Green Ridge St., former site of the Green Ridge Nursing Home) R-2 zone**
- 3) Girikrupa, LLC, Seeks Variance to convert property to 2 unit apartment building, 305 Pittston Ave. R-2O Zone**
- 4) Girikrupa, LLC, Seeks Variance to convert property to 2 unit apartment building, 424 S Webster Ave. R-1-A Zone**
- 5) Yury Abdurakhmanov, as agent for Elena Flerova, seeks special exception pursuant to Section 806.E.3 to re-use the structure at 1021 Richmond St as a 3 unit apartment building. R-1A Zone**

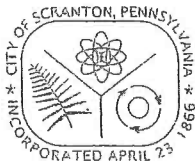
**ANYONE INTERESTED IN BECOMING A PARTY TO THE ABOVE LISTED CASES ARE DIRECTED TO CONTACT THE CITY ZONING OFFICER @ 570-348-4280. SHAWN WALSH, CHAIRMAN, SCRANTON ZONING BOARD. PUBLIC PARTICIPATION WELCOME.**

# Council of the City of Scranton

340 No. Washington Avenue • Scranton, Pennsylvania 18503 • Telephone (570) 348-4113 • Fax (570) 348-4207

Lori Reed  
City Clerk

Amil Minora, Esq.  
Counsel



Pat Rogan, President  
Timothy Perry, Vice President  
William Gaughan  
Kyle Donahue  
Mary Walsh Dempsey, Esq.

September 23, 2019

Mrs. Roseann Novembrino  
City Controller  
City of Scranton  
340 North Washington Avenue  
Scranton, PA 18503

Dear Mrs. Novembrino:

On or about August 26, 2019, Scranton City Council sent a written request for an “*immediate*” audit of gas card usage to ensure that the administration is properly guarding against potential fraud and abuse with regard to its vehicle fleet. A copy of that letter is attached at this time. The request was to encompass the last three years. Thereafter, on September 13, 2019, Council sent a follow up letter, requesting an “*update of the status*” of the audit and asking when Council can “*expect the same.*” A copy of that letter is attached for your review.

As four full weeks have passed without any communication from your office to us, as a professional courtesy, we deem it proper to send a final letter to your office before we proceed to discuss the commencement of an outside independent audit pursuant to Council’s authority under Article III, Section 313 of the Scranton Home Rule Charter.

The following *preliminary* information is important to us, at this time, with the understanding that additional information *may* be requested in the future. Of course, as you see fit, additional information can, and should be, included in your results to us:

1. The name, *and job title*, of each nonunion employee (current or former) that holds, maintains or has (or had) the right to use a gas card within the last 3 years;
2. For each and every person listed in #1 above, a listing ( preferably in chart/spreadsheet form) of their monthly gas card bill for the last three years. If PIN Numbers are associated with the accounts, please be kind enough to attach a listing of the PIN number that is associated with each employee;
3. If possible, a copy of a written job description for each employee; and
4. If mileage records were kept by any of the people listed in #1 or #2, please attach the same. If they were not kept, please note “*mileage not kept.*”

We do understand that Mayor Evans, and his administration, put a new procedure/policy into place on August 9<sup>th</sup> of this year and for that we are appreciative and certainly commend the Mayor and the Administration. Going forward, we are confident this new policy will assist the City in establishing accountability and in making sure that the City can justify that gas cards are being used for appropriate purposes. We consider this one more progressive step in the right direction for the City of Scranton.

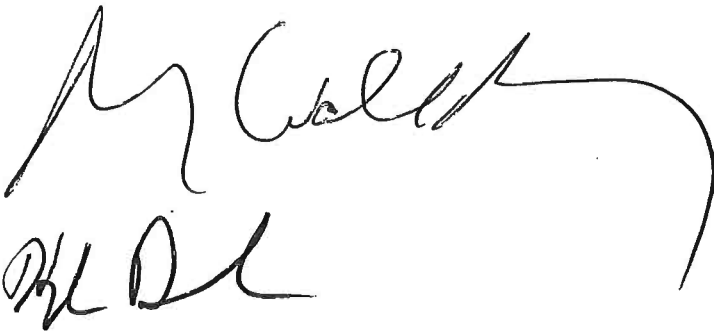
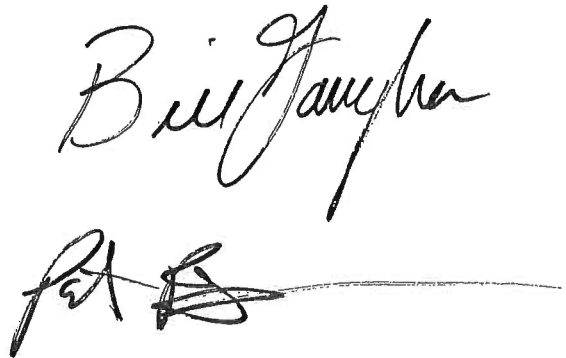
As to our 8/26/19 letter requesting an audit, the same still stands, and Council respectfully requests a written answer to the audit within the next 10 business days, or by the latest on Tuesday, October 1, 2019.

In addition, it is Council's understanding that the Gas Station affiliated with the city gas cards changed approximately two years ago from Valero to Sunoco. Council would like to review any and all paperwork that exists, including letters and contracts, relative to this modification. Please see that this information is attached to the audit results. Since we expect that this contractual information regarding Scranton's current gas station(s) for fleet vehicles will be easy to access, that information can be sent to us as soon as possible for a separate review and need not wait ten business days.

If for any reason, you feel that your office is unable, or unwilling, to conduct this audit, we ask that you advise us immediately and at the latest, within three business days of receipt of this letter, (by Friday, September 28<sup>th</sup>) and we will proceed to discuss the hiring of an outside audit service. In the event we do not hear from your office by this coming Friday, (9/28/19) Council will rely on the fact that the audit process is moving forward accordingly and that the results will be delivered back to us in accordance with the liberal time frames established by this letter.

Finally, please allow this letter to also serve as a kind reminder that any and all documentation and billing(s) that we are requesting pursuant to this letter, and our prior letters, is to be retained in its entirety during the time frame referenced in these requests, and thereafter.

Thank you for your anticipated cooperation in this most important matter.


cc: Wayne E. Evans, Mayor  
David M. Bulzoni, Business Administrator

Roseann Novembrino  
City Controller  
Municipal Building  
Scranton, Pennsylvania 18503  
(570) 348-4125

City of Scranton  
Pennsylvania



Office of the City Controller  
and Bureau of Investigations

RECEIVED

SEP 25 2019

OFFICE OF CITY  
COUNCIL/CITY CLERK

September 25, 2019

City Council  
340 N. Washington Avenue  
Scranton Pa, 18503

**MEMO: Gas Mileage Audit**

Dear Honorable Council:

Relative to the September 23, 2019 Correspondent, upon received of your first correspondent this office attempted to comply with your request and conducted a review of May-June and will continue to do such thereafter.

Upon received of your recent correspondence, I met with Mr. Bulzoni. It is his opinion and also my opinion that what you are looking for was a certified 3 year retroactive audit. Based upon the reduction of staff in this office, to do a 3 year review will take a considerable time. If you need a 3 year full audit immediately, I believe it would be appropriate to hire an outside auditor. Based upon discussion with Mr. Bulzoni he believes the same as well.

Respectfully,

*Roseann Novembrino*

Roseann Novembrino  
City Controller

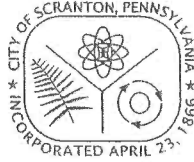
CC: Wayne Evans, Mayor  
David Bulzoni, Business Administrator

# Council of the City of Scranton

340 No. Washington Avenue • Scranton, Pennsylvania 18503 • Telephone (570) 348-4113 • Fax (570) 348-4207

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Pat Rogan, President  
Timothy Perry, Vice President  
William Gaughan  
Kyle Donahue  
Mary Walsh Dempsey, Esq.

September 27, 2019

The Honorable Wayne E. Evans  
Mayor, City of Scranton  
340 N. Washington Avenue  
Scranton, PA 18503

Dear Mayor Evans:

Council is in receipt of your September 13, 2019 correspondence and sincerely thanks you for the same. In this post-political corruption period of time, Council is operating with a heightened, sharpened and keen sense of awareness and perception in order to (1) maintain appropriate checks and balances (which are so important to our form of government); (2) mandate credibility, integrity, accountability and responsibility; and (3) restore the residents' trust in municipal government. We are extremely confident that you, with your background as a Councilman, and your administration, support Council in this endeavor.

We want you to know that Council agrees with your statement, in your 9/13/19 letter, that these are indeed "unusual times" and unprecedented in nature. We also understand, and agree, that filling certain City positions for only four months would be difficult, if not impossible, on your end. You also explained it would be almost impossible for you to hire someone in time for them to "hit the ground running" (in certain positions) and, in particular, that it would be difficult for you to hire under the limited time constraints within which you are functioning. We agree.

As you know, member(s) of Council did discuss with you, and Mr. Bulzoni, Scranton's Business Administrator, its preliminary concerns regarding the mid-year, out of budget, pay raises for Mr. King, Atty. Eskra and Mrs. McMullen. Please know that Council acknowledges that you are acting in good faith, and in the best interest of the City, by allotting additional job responsibilities to these employees (who already possess the requisite knowledgeable and capabilities) and by requesting them to take on these additional duties immediately. This is extremely helpful and assistive to the City, during this time of transition, and we are grateful to the employees as well. For that reason, undoubtedly, the underlying request for raises maintains merit.

However, the real issue here is Council's desire to ensure that the proper processes, and procedures, are followed especially since the mid-year raises were not part of the original 2019 budgetary process. In addition, our concern is that these raises may set an improper precedent going forward for future administrations. This is what we want to avoid and thus the reason for this letter.

Upon hearing of our concerns, Mr. Bulzoni was kind enough to send an explanatory email which included a salary survey that supported the salary increases. Also, Mr. Bulzoni, in an email to Mr. Gaughan, dated September 10, 2019, further explained the rationale for the raises, noting "in this case, the action is warranted under Section Article VI, 6-13, Fiscal, of the Administrative Code. To wit, The Business Administrator shall have the power to authorize the transfer of any unexpended balance of any appropriation item, or any portion thereof, within a department, but if it is between departments, then the Business Administrator shall make such transfer with the approval of Council. It is a procedure we have followed in the past, including those pertaining to salary adjustments."

It is our understanding that no "inter" department exchange of funds will be made (to effectuate the raises) as that would mandate Council approval. We are also of the understanding that the funds for the raises are currently maintained in each department, from the 2019 budget, thus the raises do not require Council approval.

We conclude by noting that we have made your September 13th, letter, as well as this letter, a part of the official Council record, in order to document (for future administrations) that it is Council's clear intent that these midyear raises are not to be looked at as precedential in any regard and that the raises constitute an intradepartmental usage of 2019 budgeted funds to support, advance and improve the City, to properly compensate employees who took on additional work, and to keep the City moving forward, during a unique and transitional phase in our City's history. Again, we thank you for your ongoing leadership during this revitalizing time in the City's history and we continue to look forward to ongoing progress and development.

Respectfully submitted,  
The Honorable Council of the City of Scranton

*L. P. Reed*  
Lori Reed  
City Clerk

Cc: David M. Bulzoni, Business Administrator  
Scranton City Council

FILE OF THE COUNCIL NO. \_\_\_\_\_

2019

AN ORDINANCE

AMENDING FILE OF THE COUNCIL NO. 44, 2014 AND FILE OF THE COUNCIL NO. 118, 2015, ENTITLED "AN ORDINANCE AUTHORIZING THE MAYOR AND OTHER APPROPRIATE OFFICIALS OF THE CITY OF SCRANTON TO TAKE ALL NECESSARY ACTIONS TO IMPLEMENT THE CONSOLIDATED SUBMISSION FOR COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS TO BE FUNDED UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM AND EMERGENCY SOLUTIONS GRANTS (ESG) PROGRAM FOR THE PERIOD BEGINNING JANUARY 1, 2015 AND FOR THE PERIOD BEGINNING JANUARY 1, 2016" BY AMENDING THE 2015 ACTION PLAN AND THE 2016 ACTION PLAN BY UTILIZING SIXTY-THREE THOUSAND EIGHT HUNDRED THIRTY ONE DOLLARS AND SIXTY NINE CENTS (\$63,831.69) FROM THE 2015 ACTION PLAN AND SIXTY-THREE THOUSAND SEVENTY ONE DOLLARS AND TWENTY-ONE CENTS (\$63,071.21) FROM THE 2016 ACTION PLAN IN ORDER TO PROVIDE A TOTAL OF ONE HUNDRED AND TWENTY-SIX THOUSAND NINE HUNDRED AND TWO DOLLARS AND NINETY CENTS (\$126,902.90) UNDER THE HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) TO BUILD A TWO (2) UNIT RENTAL HOUSE FOR LOW INCOME FAMILIES IN THE CITY OF SCRANTON OR TO ACQUIRE AND REHAB TWO (2) VACANT HOUSES IN THE CITY OF SCRANTON FOR LOW INCOME FAMILIES BY AND THROUGH THE SCRANTON LACKAWANNA RESOURCES DEVELOPMENT CORPORATION, A SUBSIDIARY OF THE SCRANTON LACKAWANNA HUMAN DEVELOPMENT AGENCY.

WHEREAS, the City of Scranton through the Office of Economic and Community Development requested funding in the amount of \$374,743.00 under the Home Investment Partnership Program in their 2015 Action Plan; and

WHEREAS, the City of Scranton through the Office of Economic and Community Development requested funding in the amount of \$386,557.00 under the Home Investment Partnership Program in their 2016 Action Plan; and

WHEREAS, the City of Scranton has a shortfall in the amount of \$63,831.69 for the Home Investment Partnership Program (HOME) which exists from 2015 Action Plan (See Exhibit "A"); and

WHEREAS, the City of Scranton has a shortfall in the amount of \$122,849.90 for the Home Investment Partnership Program (HOME) which exists from 2016 Action Plan (See "Exhibit B"); and

WHEREAS, the City needs to spend the shortfalls in 2015 and 2016 in order to avoid being penalized by the U.S. Department of Housing and Urban Development by receiving less funding in future; and

**WHEREAS**, the City has created a project to spend down the 2015 and 2016 Home Investment Partnership Program (HOME) money in order to avoid any future penalty imposed by the U.S. Department of Housing and Urban Development; and

**WHEREAS**, there is a substantial need for low income housing in the City of Scranton; and

**WHEREAS**, the City plans to provide the \$126,902.90 to the Scranton Lackawanna Resources Development Corporation a subsidiary of the Scranton Lackawanna Human Development Agency in order to build a two (2) unit rental house in the City of Scranton for low income families or to acquire and rehab two (2) vacant houses in the City of Scranton for low income families (See "Exhibit C"); and

**WHEREAS**, since the total funding for the project exceeds by more than ten (10%) percent from the amount identified in the 2015 Action Plan as well as the 2016 Action Plan, the City is required to do a Substantial Amendment to the 2015 Annual Action Plan and the 2016 Action Plan (See "Exhibit D").

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON** that File of the Council No. 44, 2014 and File of Council No. 118, 2015 are hereby amended to amend the 2015 Action Plan by utilizing Sixty-Three Thousand Eight Hundred Thirty One Dollars and Sixty Nine Cents (\$63,831.69) and amending the 2016 Action Plan by utilizing Sixty Three Thousand Seventy-one Dollars and Twenty-One Cents (\$63,071.21) in order to provide to the Scranton Lackawanna Resources Development Corporation a subsidiary of the Scranton Lackawanna Human Development Agency a total of One Hundred Twenty-Sixy Thousand Nine Hundred and Two Dollars and Ninety Cents (\$126,902.90) from the Home Investment Partnership Program (HOME) to build a two (2) Unit Rental House for low income families in the City of Scranton or to acquire and rehab two (2) vacant houses in the City of Scranton for low income families.

**SECTION 1.** In all other respects File of the Council No. 44, 2014 and File of Council No. 118, 2015 shall remain in full force and effect.

**SECTION 2.** If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decisions shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The

City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

**SECTION 3.** This Ordinance shall become effective immediately upon approval.

**SECTION 4.** This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of the Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.



September 18, 2019

*Via Hand Delivery*  
 Jessica Eskra, Esquire  
 340 North Washington Avenue  
 4<sup>th</sup> Fl., Law Department  
 Scranton, PA 18503

**Re: Substantial Amendment  
 City of Scranton, OECD and Scranton Lackawanna Resources Development  
 Corporation , a subsidiary of the Scranton Lackawanna Human Development  
 Agency  
 Amending 2015 and 2016 Action Plans**

Dear Attorney Eskra:

The City of Scranton, specifically OECD, is requesting a substantial amendment of the 2015 and 2016 Action Plans so that shortfalls from 2015 and 2016 HOME funding can be spent down before it is deobligated by HUD.

OECD is requesting that you review the attached Ordinance and submit it to City Council for approval. Additionally, since it is a Substantial Amendment, this Ordinance is required to be tabled for a period of thirty (30) days after a Public Hearing is set by City Council to allow for public comment after the second (2<sup>nd</sup>) reading.

Please do not hesitate to contact me if you should need additional information.

Sincerely,

Mary-Pat Ward  
 Executive Director

/mpw

“Exhibit A”

## U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Skip Top  
Navigation

v11.18.0\_rev83\_9332/1341 (DB PROD4376)

Community Development Systems  
Integrated Disbursement & Information System (IDIS)**User:** B67605  
**Role:** Grantee  
**Organization:**  
SCRANTON

- Logout

**Grant**  
- Search**Subfund**  
- Add  
- Search**Subgrant**  
- Add  
- Search**Subfund Program  
Income**  
- Add  
- Search**Subgrant Program  
Income**  
- Add  
- Search**CDBG Cash on Hand**  
- View/Submit**Utilities**  
- Home  
- Data Downloads  
- Print Page  
- Help**Links**  
- Contact Support  
- Rules of Behavior  
- CPD Home  
- HUD Home[Plans/Projects/Activities](#) [Funding/Drawdown](#) [Grant](#) [Grantee/PJ](#) [Admin](#) [Reports](#)

You have 5 CDBG and 2 HOME activities that have been flagged. Click on the number to go to the review page.

**Grant****View Grant**[Return to Search Grants](#) | [View Grant History](#) | [View HOME Deadline Compliance](#)**Grantee/PJ Name: (tip)**  
SCRANTON, PA**Program: (tip)**  
HOME**Grant Year: (tip)**  
2015**Grant #: (tip)**  
M-15-MC-42-0205**Administering Organization: (tip)**  
SCRANTON**Payee EIN/TIN#: (tip)**  
24-6000704**Grant Status: (tip)**  
Active**Grant Blocked: (tip)**  
No**Obligation Date: (tip)**  
07/17/2015**Commitment Deadline: (tip)**  
Commitment deadline waived for the program.**SU Commitment Deadline (tip)**  
SU Commitment deadline waived for the program.**Expenditure Deadline: (tip)**  
09/30/2023**Grantee Organizational DUNS #: (tip)**  
06-049-7856

View Subfunds

Grant Amounts	
Original Allocation Amount	\$374,743.00
Grant Agreement Obligated Amount	\$374,743.00
Current Authorized Amount	\$374,743.00
LOCCS Authorized Amount (tip)	
Grant Components Total Amount (calculated)	
Formula Grant Amount	\$374,743.00
ADDI Amount (+)	\$0.00
(Grant) Reduction Amount (-)	\$0.00

De-obligated Amount (-)	\$0.00
CHDO Reallocation Amount (+)	\$0.00
CHDO De-obligated Amount (-)	\$0.00

<b>Grant (Draw) Balance</b>	
Current Authorized Amount ( <i>calculated</i> )	\$374,743.00
Authorized Amount of EN subfund	\$374,743.00
IDIS Grant Balance ( <i>calculated</i> )	\$63,831.69
LOCCS Grant Balance ( <i>calculated</i> )	\$63,831.69

<b>Drawn</b>	
<b>Net Drawn Amount (<i>calculated</i>)</b>	\$310,911.31
Drawn Amount (+)	\$310,911.31
Drawdown Pending Amount (+)	\$0.00
Returned Amount (+)	\$0.00
<b>Available to Draw (<i>calculated</i>)</b>	\$63,831.69

<b>Suballocation (SU+AD+CR+CO+CL+CC Fund Types)</b>	
Total Suballocated	\$153,464.44
Amount Committed to Activities	\$310,911.31
Net Drawn Amount	\$93,160.75
Drawdown Pending Amount	\$0.00
Amount Available to Commit to Activities	\$63,831.69



<b>CHDO Reserve Requirement</b>	
CHDO Waiver Amount (+)	\$0.00

[Return to Search Grants](#) | 
 [View Grant History](#)

This IDIS version was deployed on Fri Aug 9, 2019 at 21:07

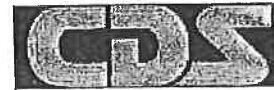
Session Timeout

“Exhibit B”

## U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Skip Top  
Navigation

v11.18.0\_rev83\_9332/1341 (DB PROD4376)

Community Development Systems  
Integrated Disbursement & Information System (IDIS)**User:** B67605  
**Role:** Grantee  
**Organization:**  
SCRANTON

- Logout

**Grant**  
- Search**Subfund**  
- Add  
- Search**Subgrant**  
- Add  
- Search**Subfund Program  
Income**  
- Add  
- Search**Subgrant Program  
Income**  
- Add  
- Search**CDBG Cash on Hand**  
- View/Submit**Utilities**  
- Home  
- Data Downloads  
- Print Page  
- Help**Links**  
- Contact Support  
- Rules of Behavior  
- CPD Home  
- HUD Home[Plans/Projects/Activities](#) [Funding/Drawdown](#) [Grant](#) [Grantee/PJ](#) [Admin](#) [Reports](#)**You have 5 CDBG and 2 HOME activities that have been flagged. Click on the number to go to the review page.****Grant****View Grant**[Return to Search Grants](#) | [View Grant History](#) | [View HOME Deadline Compliance](#)**Grantee/PJ Name: (tip)**  
SCRANTON, PA**Grant Status: (tip)**  
Active**Program: (tip)**  
HOME**Grant Blocked: (tip)**  
No**Grant Year: (tip)**  
2016**Obligation Date: (tip)**  
08/03/2016**Grant #: (tip)**  
M-16-MC-42-0205**Commitment Deadline: (tip)**  
Commitment deadline waived for the program.**Administering Organization: (tip)**  
SCRANTON**SU Commitment Deadline (tip)**  
SU Commitment deadline waived for the program.**Payee EIN/TIN#: (tip)**  
24-6000704**Expenditure Deadline: (tip)**  
09/30/2024**Grantee Organizational DUNS #: (tip)**  
06-049-7856[View Local Accounts](#)[View Subfunds](#)

Grant Amounts	
<b>Original Allocation Amount</b>	\$386,557.00
<b>Grant Agreement Obligated Amount</b>	\$386,557.00
<b>Current Authorized Amount</b>	\$386,557.00
<b>LOCCS Authorized Amount (tip)</b>	
<b>Grant Components Total Amount (calculated)</b>	
Formula Grant Amount	\$386,557.00
ADDI Amount (+)	\$0.00
(Grant) Reduction Amount (-)	\$0.00

De-obligated Amount (-)	\$0.00
CHDO Reallocation Amount (+)	\$0.00
CHDO De-obligated Amount (-)	\$0.00

<b>Grant (Draw) Balance</b>	
Current Authorized Amount (calculated)	\$386,557.00
Authorized Amount of EN subfund	\$386,557.00
IDIS Grant Balance (calculated)	\$150,591.15
LOCCS Grant Balance (calculated)	\$150,591.15

<b>Drawn</b>	
<b>Net Drawn Amount (calculated)</b>	\$235,965.85
Drawn Amount (+)	\$235,965.85
Drawdown Pending Amount (+)	\$0.00
Returned Amount (+)	\$0.00
<b>Available to Draw (calculated)</b>	\$150,591.15

<b>Suballocation (SU+AD+CR+CO+CL+CC Fund Types)</b>	
Total Suballocated	\$176,714.99
Amount Committed to Activities	\$263,707.10
Net Drawn Amount	\$53,865.09
Drawdown Pending Amount	\$0.00
★ Amount Available to Commit to Activities	\$122,849.90

<b>CHDO Reserve Requirement</b>	
CHDO Waiver Amount (+)	\$0.00

[Return to Search Grants](#) | 
 [View Grant History](#)

This IDIS version was deployed on Fri Aug 9, 2019 at 21:07

 Session Timeout

“Exhibit C”

## Home Funds Narrative Summary

Scranton Lackawanna Resources Development Corporation (SLRDC) is a non-profit agency affiliated with Scranton Lackawanna Human Development Agency whose mission is to develop affordable low to moderate income housing for families in Lackawanna County. SLRDC is currently developing two properties in the City of Scranton that will be available to first time home buyers, veterans and families of lower incomes. The Board of Directors of SLRDC is currently looking at two options for this grant. One option: develop one (1) additional two unit property in the City of Scranton in 2020 in partnership with the city's CHDO Home Program, SLRDC and Johnson College. Second Option: rehabilitate a house in the City of Scranton to be put back on the market for sale at \$135,000 for eligible low income families.

The 2017 & 2018 Home Funds grant would be used for either of these options, depending on the amount funded. Option One: construct one new two unit low income rental house at 2428 North Main Street (see attached drawing) on vacant lot purchased through Landbank. The two unit rental property will consist of a three bedroom one bath, and a two bedroom one bath unit. Option Two: SLRDC would purchase a property in need of renovation and put a three to four bedroom house on the market for \$135,000 to qualified low income owners.

The new construction in Option One would be built on a vacant lot that is currently not taxable in the City of Scranton that was purchased through Lackawanna County's Landbank. The Project is expected to cost \$200,000, of which SLRDC would use \$60,000 in private funding to complete the project. SLRDC would use \$60,000 of private funding to match \$143,000 of CHDO Home Funding in order to build a two unit energy efficient rent controlled house.

The second option would involve renovating a current three bedroom City of Scranton house into a decent energy efficient house to be made available for sale, lease purchase, or rental to persons in need of housing or eligible households, which are temporary displaced due to poor housing conditions. A project is expected to cost \$100,000 to \$140,000 depending on condition of house purchased. SLRDC would use private funding to make up the difference of CHDO funding.

SLRDC would use the CHDO funding to make affordable housing available to qualified low income individuals by matching private funding sources with CHDO funding to achieve the mission of creating decent affordable housing in the City of Scranton. This funding would either enable affordable rental units to become available or a three bedroom house to be renovated and listed for \$135,000. Preference would be given to first time home buyers and veterans meeting the income guidelines of low income families as defined by 24 CFR Part 92.

The City of Scranton has an older housing stock with a lack of decent, affordable three to four bedroom properties for low to moderate income residents. Lackawanna County Office of Youth and Family Services estimate that there is a need to provide new construction or newly rehabbed housing for 1,400 low income families in Lackawanna County. SLRDC is trying to fill a void in

this market, by building or rehabbing affordable three to four bedroom housing for low income families.

SLRDC's mission is to help fill the void in providing attractive two - four bedroom housing to low to moderate income families. SLRDC is looking to partner with the City of Scranton on one property in order to make available affordable, new construction or newly rehabbed property in the City for low income families. The target price for one of SLRDC's properties will range from \$ 100,000 to \$135,000 for resale, depending on the condition of the property. The other option would be to provide nice housing for low income families at below fair market rent per HUD guidelines.

- (I) **Need for Project:** It is estimated by Lackawanna County's Office of Youth and Family Services that there is a need of 1,400 families in Lackawanna County for decent affordable three to four bedroom housing for low to moderate income families. The greatest need being in the City of Scranton. The City of Scranton has about 24% of its population living at or below poverty level according to the 2016 U.S. Census and the median price of a house listed for sale in the City, according to Zillow in March 2019, is \$91,393. Most homes listed at or below this median price are in need of substantial amounts of work that would put these homes over the \$135,000 selling price that SLRDC would be listing the properties for.

City of Scranton's CHDO Home Program Funding is needed to help fully renovate or build a two unit below market rental in the City, while being able to make it affordable for a family of 4-8 to afford. From SLRDC's experience in this low income affordable housing endeavor, the average cost to build is over \$120 per sq. foot, and \$65-\$80 per sq. foot to renovate a three to four bedroom house. The task of making available low to moderate income housing for a family of at least four is very difficult for under \$135,000. SLRDC is partnering with local business, SLHDA, Commonwealth of PA, volunteer labor and other private funding sources to match the CHDO Home Program Funding grant request.

- (II) **Current Status:** SLRDC owns a six unit rental property for low income individuals in Old Forge, PA and is currently remodeling one four bedroom home in Scranton to be listed for sale. In addition, SLRDC is in the process of building a two unit rental house in the West Side of Scranton. The four bedroom home will be sold for a price not to exceed \$135,000 to first time home buyers, veterans, and low income families, enabling the properties to be put back on the tax rolls. The rental unit will be built using private funds, Commonwealth of Pennsylvania, Lackawanna County and other grant funding sources to enable new housing to be built, while enabling rents to be at or below fair market rates. The Board of SLRDC is planning on building or renovating two properties in 2019, including the property in West Scranton. The goal

of SLRDC is to build or renovate two to three homes a year in Lackawanna County after 2020 for low to moderate income families with a price not to exceed \$135,000 per year or to be in the acceptable rent standards for low income housing. This initiative, we believe, will help break the cycle of poverty for low income families and will assist in bolstering family continuity, health and wellness and employability. And, it aids the City in returning properties to current tax rolls and assists in curing blighted, undeveloped or abandoned parcels, thus increasing property values for homeowners in the City of Scranton.

- (III) **Project Design:** SLRDC will build one two unit low income rental property on a vacant tax exempt lot in North Scranton. This project will aid in making improvements to a vacant abandoned lot on a busy main street. (see attached drawing)  
OR

SLRDC will acquire and renovate one existing house in the City of Scranton. This house would be fully renovated and incorporate energy efficient standards with a price not to exceed \$135,000. The property is not yet identified.

- (IV) **CHDO Stability:** SLRDC's Director will be the point person and in charge of ensuring the funding is in compliance with CHDO Home Program regulations. SLRDC is comprised of a volunteer Board of Directors which meets quarterly and is kept apprised of the process by the Director and Executive Director to ensure compliance with SLRDC's mission. The Board must approve all grants and projects to be undertaken by SLRDC's Director.

SLRDC Director is Jim Wansacz whose time will be invoiced for 200 hours at \$32.03 (which includes salary and benefits) totaling \$6,406.00 to be charged to Home Funds. The Director will be the main person responsible for bidding, designing, project management, keeping the funding sources informed of the progress and seeing the projects to fruition.

SLRDC is targeting the North Scranton and Hill neighborhoods of Scranton. These areas consist of some of the older mining stock houses that are in need of rehabilitation services.

- (V) **Experience:** SLRDC is a non-profit affiliated with SLHDA which has been in the business for over 50 years serving low income families. SLRDC's Director also manages a \$1.6 million dollar weatherization budget for SLHDA and oversees the sub-contractors used for deferral issues in households located in Lackawanna County. The Executive Director has over 40 years' experience servicing low income families and is responsible for an \$18 (M) budget. In addition to these two individuals,

SLRDC & SLHDA have a trained and experience staff in verifying income standards, purchasing, and preparing financial statements. Resumes Attached

SLRDC is in the process of listing two City of Scranton properties for sale in April of 2019 and has developed a six unit property in Old Forge, PA for low to moderate income families. In addition to services listed above, SLRDC and SLHDA are currently working with the City of Scranton Office and Economic and Community Development Office to fix deferral issues on qualified single family households in the City. Once, the deferral issues are satisfied, SLHDA's Weatherization Department will perform weatherization services to qualified homes.

- (VI) **Evaluation:** SLRDC's Director will be responsible for submitting periodic reports and producing the final report to the City. Obstacles are common in construction and rehabbing services. Each property will be insured in case of damage, and each sub-contractor will be required to carry insurance. In the case of unforeseen obstacles, a contingency plan will be built into each project of 10% of the total cost of each project. SLRDC will follow the bidding requirements of three verbal bids on projects costing less than \$10,000, and three written bids on projects over \$10,000 (Purchasing Policy attached). An RFQ has been advertised and accepted of interested licensed general contractors in the City of Scranton to do work on low income housing. All obstacles will be shared with the Board of SLRDC and a plan will be devised by the board, contractors, and staff to keep the project on track of its intended purpose. The Board of Directors, the Executive Director and Controller of SLHDA will also be members of the management team that oversees the projects to ensure that all requirements are being met. SLRDC will request funds upon entering into a signed contract with a sub-contractor, once the matching funds have been appropriated, first. The CHDO Home Funds grant will be used to complete the project. A funding balance and progress report will be reviewed quarterly with the City, and Board of SLRDC. A monthly review of finances and program progress will be conducted among the Director, Executive Director, Controller and Board of Directors for SLHDA.
- (VII) **Leveraging Funds:** SLRDC will use the CHDO Home Funds to raise private funding and apply for matching grants. Currently SLRDC has a \$90,000 Private Line of Credit available, income from rental units in Old Forge and money will be available from the sale of 965 Wheeler Avenue, Scranton. Please see attached latest form 990 and audit financials.

“Exhibit D”

FILE OF COUNCIL NO. 44

2014

## AN ORDINANCE

AUTHORIZING THE MAYOR AND OTHER APPROPRIATE OFFICIALS OF THE CITY OF SCRANTON TO TAKE ALL NECESSARY ACTIONS TO IMPLEMENT THE CONSOLIDATED SUBMISSION FOR COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS TO BE FUNDED UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM AND EMERGENCY SOLUTIONS GRANTS (ESG) PROGRAM FOR THE PERIOD BEGINNING JANUARY 1, 2015.

WHEREAS, the planning and application aspects included in the consolidated submission for Community Planning and Development Programs are authorized by the Federal Comprehensive Housing Affordability Strategy (CHAS); title 1 of the Cranston-Gonzalez National Affordable Housing Act, 42 U.S.C. 12702-12711; the Community Development Block Grants (CDBG): Title 1 of the Housing and Community Development Act of 1974, 42 U.S.C. 5304-5320; the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 ("HEARTH") reauthorized and modified the the McKinney-Vento Homeless Assistance Act of 1987 that includes the Emergency Solutions Grants (ESG); and the HOME Investment Partnerships (HOME): Title II of the Cranston-Gonzalez National Affordable Housing Act, 42 U.S.C. 12741-12839; and the Housing Opportunities for Persons with AIDS (HOPWA): the AIDS Housing Opportunity Act, 42 U.S.C. 12901-12912.

WHEREAS, the City of Scranton shall be entitled to such funds for the year beginning on January 01, 2015 pending approval of its application; and

WHEREAS, the various federal statutes referenced above required public hearings to be held to ascertain the views and comments of the citizens of City of Scranton, and whereas such hearings have been duly convened; and

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON that the Mayor and other appropriate Officials of the City of Scranton authorize to take

Introduced in Council on above date and  
referred to Committee on COMMUNITY DEVELOPMENT

September 11, 2014

*L. Reed*

City Clerk

Scranton, PA October 23, 2014  
Committee on Community Development reports favorably on the  
within ordinance

Chairman

SIXTH ORDER:  
September 18, 2014

CERTIFIED COPY

*L. Reed* City Clerk

all necessary action in order to implement the consolidated submission for Community Planning and Development Program to be funded Under the Community Development Block Grant (CDBG) Program, Home Investment Partnership (HOME) Program and the Emergency Solutions Grant (ESG) Program.

SECTION 1. If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decisions shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

SECTION 2. This Ordinance shall become effective immediately upon approval.

SECTION 3. This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of the Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.

Passed by the Council

October 23, 2014

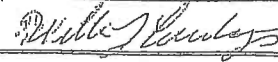
Receiving the Affirmative votes of Council Persons

Wechsler, Rogan, Gaughan, McGoff

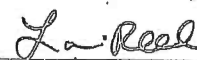
Negative NONE Abstained Evans

 President

Approved 10-27-14



Mayor



City Clerk

Certified Copy

PASSED THROUGH 6TH ORDER THEN TABLED

TABLED

TABLED

7.6

FILE OF COUNCIL NO. 118

2015

AN ORDINANCE  
(AS AMENDED)

AUTHORIZING THE MAYOR AND OTHER APPROPRIATE OFFICIALS OF THE CITY OF SCRANTON TO TAKE ALL NECESSARY ACTIONS TO IMPLEMENT THE CONSOLIDATED SUBMISSION FOR COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS TO BE FUNDED UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM AND EMERGENCY SOLUTIONS GRANTS (ESG) PROGRAM FOR THE PERIOD BEGINNING JANUARY 1, 2016.

WHEREAS, the planning and application aspects included in the consolidated submission for Community Planning and Development Programs are authorized by the Federal Comprehensive Housing Affordability Strategy (CHAS); title 1 of the Cranston-Gonzalez National Affordable Housing Act, 42 U.S.C. 12702-12711; the Community Development Block Grants (CDBG); Title 1 of the Housing and Community Development Act of 1974, 42 U.S.C. 5304-5320; the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 ("HEARTH") reauthorized and modified the the McKinney-Vento Homeless Assistance Act of 1987 that includes the Emergency Solutions Grants (ESG); and the HOME Investment Partnerships (HOME): Title II of the Cranston-Gonzalez National Affordable Housing Act, 42 U.S.C. 12741-12839; and the Housing Opportunities for Persons with AIDS (HOPWA): the AIDS Housing Opportunity Act, 42 U.S.C. 12901-12912.

WHEREAS, the City of Scranton shall be entitled to such funds for the year beginning on January 01, 2016 pending approval of its application; and

WHEREAS, the various federal statutes referenced above required public hearings to be held to ascertain the views and comments of the citizens of City of Scranton, and whereas such hearings have been duly convened; and

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON that the Mayor and other appropriate Officials of the City of Scranton authorize to take

CERTIFIED COPY

La Reed City Clerk

Introduced in Council on above date and referred to Committee on COMMUNITY DEVELOPMENT

September 10, 2015

La Reed City Clerk

Scranton, PA October 22, 2015  
Committee on Community Development reports favorably on the within Ordinance

Wayne Green Temp. Chairman

SIXTH ORDER:  
September 17, 2015

all necessary action in order to implement the consolidated submission for Community Planning and Development Program to be funded Under the Community Development Block Grant (CDBG) Program, Home Investment Partnership (HOME) Program and the Emergency Solutions Grant (ESG) Program.

**SECTION 1.** If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decisions shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

**SECTION 2.** This Ordinance shall become effective immediately upon approval.

**SECTION 3.** This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of the Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.

Passed by the Council

October 22, 2015

Receiving the Affirmative votes of Council Persons

Wechsler, Rogan, Evans, Gaughan

Negative NONE Absent-McGoff

Pct B  
Vice-President

Approved 10-23-15

Mark J. [Signature] Mayor

La. Reed City Clerk  
Certified Copy



## DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

September 20, 2019

RECEIVED

SEP 24 2019

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

OFFICE OF CITY  
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 44, 2014 AND FILE OF THE COUNCIL NO. 118, 2015, ENTITLED "AN ORDINANCE AUTHORIZING THE MAYOR AND OTHER APPROPRIATE OFFICIALS OF THE CITY OF SCRANTON TO TAKE ALL NECESSARY ACTIONS TO IMPLEMENT THE CONSOLIDATED SUBMISSION FOR COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS TO BE FUNDED UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM AND EMERGENCY SOLUTIONS GRANTS (ESG) PROGRAM FOR THE PERIOD BEGINNING JANUARY 1, 2015 AND FOR THE PERIOD BEGINNING JANUARY 1, 2016" BY AMENDING THE 2015 ACTION PLAN AND THE 2016 ACTION PLAN BY UTILIZING SIXTY-THREE THOUSAND EIGHT HUNDRED THIRTY ONE DOLLARS AND SIXTY NINE CENTS (\$63,831.69) FROM THE 2015 ACTION PLAN AND SIXTY-THREE THOUSAND SEVENTY ONE DOLLARS AND TWENTY-ONE CENTS (\$63,071.21) FROM THE 2016 ACTION PLAN IN ORDER TO PROVIDE A TOTAL OF ONE HUNDRED AND TWENTY-SIX THOUSAND NINE HUNDRED AND TWO DOLLARS AND NINETY CENTS (\$126,902.90) UNDER THE HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) TO BUILD A TWO (2) UNIT RENTAL HOUSE FOR LOW INCOME FAMILIES IN THE CITY OF SCRANTON OR TO ACQUIRE AND REHAB TWO (2) VACANT HOUSES IN THE CITY OF SCRANTON FOR LOW INCOME FAMILIES BY AND THROUGH THE SCRANTON LACKAWANNA RESOURCES DEVELOPMENT CORPORATION, A SUBSIDIARY OF THE SCRANTON LACKAWANNA HUMAN DEVELOPMENT AGENCY.

Respectfully,

*Jessica Eskra (s)*  
Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl

RESOLUTION NO. \_\_\_\_\_

2019

**AUTHORIZING RE-APPOINTMENT OF TARA MAN SHANKAR, 840 WHEELER AVENUE, SCRANTON, PENNSYLVANIA 18510, AS A MEMBER OF THE HUMAN RELATIONS COMMISSION FOR AN ADDITIONAL FOUR (4) YEAR TERM EFFECTIVE SEPTEMBER 12, 2019. MR. SHANKAR'S TERM EXPIRED ON OCTOBER 14, 2018, AND WAS HELD OVER UNTIL SEPTEMBER 12, 2019. HIS NEW TERM WILL EXPIRE ON OCTOBER 14, 2022.**

**WHEREAS**, Tara Man Shankar's term on the Human Relations Commission expired on October 14, 2018 and was held over to September 12, 2019; and

**WHEREAS**, the Mayor of the City of Scranton desires to re-appoint TaraMan Shankar as a member of the Human Relations Commission, effective September 12, 2019 and his new term will expire October 14, 2022; and

**WHEREAS**, Tara Man Shankar has the requisite experience, education, and training necessary to serve on the Human Relations Commission.

**NOW, THEREFORE, BE IT RESOLVED** that Tara Man Shankar, 840 Wheeler Avenue, Scranton, PA, is hereby re-appointed as a member of the Human Relations Commission for an additional four (4) year term effective September 12, 2019, and his new term will expire on October 14, 2022.

**SECTION 1.** If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intend of this Resolution and the effective administration thereof.

**SECTION 2.** This Resolution shall become effective immediately upon approval.

**SECTION 3.** This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.



OFFICE OF THE MAYOR

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4101 • FAX: 570-348-4251

September 12, 2019

Honorable Council of the City of Scranton  
340 N. Washington Avenue  
Scranton, Pa. 18503

**RE: Human Relations Commission Appointment**

Dear Council Members:

Please be advised that I am re-appointing Tara Man Shankar, 840 Wheeler Ave., Scranton, Pa. 18510, as a member of the Human Relations Commission for an additional 4 year term effective September 12, 2019.

Mr. Shankar's term expired on October 14, 2018 and was held over until September 12, 2019. His new term will expire on October 14, 2022

I respectfully request City Council's concurrence in this appointment.

Sincerely,

Wayne E. Evans  
Mayor, City of Scranton

WEE/mm

CC: Jessica Eskra Esq., City Solicitor  
David Bulzoni, Business Administrator  
Human Relations Commission  
Tara Man Shankar



**DEPARTMENT OF LAW**

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

September 20, 2019

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

RECEIVED  
SEP 24 2019


OFFICE OF CITY  
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION AUTHORIZING RE-APPOINTMENT OF TARA MAN SHANKAR, 840 WHEELER AVENUE, SCRANTON, PENNSYLVANIA 18510, AS A MEMBER OF THE HUMAN RELATIONS COMMISSION FOR AN ADDITIONAL FOUR (4) YEAR TERM EFFECTIVE SEPTEMBER 12, 2019. MR. SHANKAR'S TERM EXPIRED ON OCTOBER 14, 2018, AND WAS HELD OVER UNTIL SEPTEMBER 12, 2019. HIS NEW TERM WILL EXPIRE ON OCTOBER 14, 2022.

THE ADMINISTRATION HAS VERIFIED THAT THE APPOINTEE HAS NO DELINQUENT CITY TAX OR REFUSE PAYMENTS DUE.

Respectfully,

  
Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl

RESOLUTION NO. \_\_\_\_\_

2019

**AUTHORIZING RE-APPOINTMENT OF PAUL J. STRUNK, 3 CROSS DRIVE, SCRANTON, PENNSYLVANIA 18505, AS A MEMBER OF THE HUMAN RELATIONS COMMISSION FOR AN ADDITIONAL FOUR (4) YEAR TERM EFFECTIVE SEPTEMBER 12, 2019. MR. STRUNK'S TERM EXPIRED ON SEPTEMBER 16, 2018, AND WAS HELD OVER UNTIL SEPTEMBER 12, 2019. HIS NEW TERM WILL EXPIRE ON SEPTEMBER 16, 2022.**

**WHEREAS**, Paul J. Strunk's term on the Human Relations Commission expired on September 12, 2018 and was held over to September 12, 2019; and

**WHEREAS**, the Mayor of the City of Scranton desires to re-appoint Paul J. Strunk as a member of the Human Relations Commission, effective September 12, 2019 and his new term will expire September 16, 2022; and

**WHEREAS**, Paul J. Strunk has the requisite experience, education, and training necessary to serve on the Human Relations Commission.

**NOW, THEREFORE, BE IT RESOLVED** that Paul J. Strunk, 3 Cross Drive, Scranton, PA, is hereby re-appointed as a member of the Human Relations Commission for an additional four (4) year term effective September 12, 2019, and his new term will expire on September 16, 2022.

**SECTION 1.** If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intend of this Resolution and the effective administration thereof.

**SECTION 2.** This Resolution shall become effective immediately upon approval.

**SECTION 3.** This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.



OFFICE OF THE MAYOR

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4101 • FAX: 570-348-4251

September 12, 2019

Honorable Council of the City of Scranton  
340 N. Washington Avenue  
Scranton, Pa. 18503

**RE: Human Relations Commission Re-Appointment**

Dear Council Members:

Please be advised that I am re-appointing Paul J. Strunk, 3 Cross Dr., Scranton, PA 18505, as a member of the Human Relations Commission for an additional 4 year term effective September 12, 2019.

Mr. Strunk's term expired on September 16, 2018 and was held over until September 12, 2019. His new term will expire on September 16, 2022.

I respectfully request City Council's concurrence in this appointment.

Sincerely,

Wayne E. Evans  
Mayor, City of Scranton

WEE/mm

CC: Jessica Eskra Esq., City Solicitor  
David Bulzoni, Business Administrator  
Human Relations Commission  
Paul J. Strunk



## DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

September 20, 2019

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

RECEIVED  
SEP 24 2019

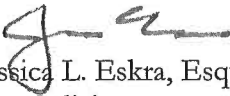
OFFICE OF CITY  
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION AUTHORIZING RE-APPOINTMENT OF PAUL J. STRUNK, 3 CROSS DRIVE, SCRANTON, PENNSYLVANIA 18505, AS A MEMBER OF THE HUMAN RELATIONS COMMISSION FOR AN ADDITIONAL FOUR (4) YEAR TERM EFFECTIVE SEPTEMBER 12, 2019. MR. STRUNK'S TERM EXPIRED ON SEPTEMBER 16, 2018, AND WAS HELD OVER UNTIL SEPTEMBER 12, 2019. HIS NEW TERM WILL EXPIRE ON SEPTEMBER 16, 2022.

THE ADMINISTRATION HAS VERIFIED THAT THE APPOINTEE HAS NO DELINQUENT CITY TAX OR REFUSE PAYMENTS DUE.

Respectfully,

  
Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl

RESOLUTION NO. \_\_\_\_\_

2019

**AUTHORIZING RE-APPOINTMENT OF OM TIMSINA, 809 CEDAR AVENUE, SCRANTON, PENNSYLVANIA 18505, AS A MEMBER OF THE HUMAN RELATIONS COMMISSION FOR AN ADDITIONAL FOUR (4) YEAR TERM EFFECTIVE SEPTEMBER 12, 2019. MR. TIMSINA'S TERM EXPIRED ON SEPTEMBER 16, 2018, AND WAS HELD OVER UNTIL SEPTEMBER 12, 2019. HIS NEW TERM WILL EXPIRE ON SEPTEMBER 16, 2022.**

**WHEREAS**, Om Timsina's term on the Human Relations Commission expired on September 16, 2018 and was held over to September 12, 2019; and

**WHEREAS**, the Mayor of the City of Scranton desires to re-appoint Om Timsina as a member of the Human Relations Commission, effective September 12, 2019 and his new term will expire September 16, 2022; and

**WHEREAS**, Om Timsina has the requisite experience, education, and training necessary to serve on the Human Relations Commission.

**NOW, THEREFORE, BE IT RESOLVED** that Om Timsina, 809 Cedar Avenue, Scranton, PA, is hereby re-appointed as a member of the Human Relations Commission for an additional four (4) year term effective September 12, 2019, and his new term will expire on September 16, 2022.

**SECTION 1.** If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Resolution and the effective administration thereof.

**SECTION 2.** This Resolution shall become effective immediately upon approval.

**SECTION 3.** This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.



## OFFICE OF THE MAYOR

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September 12, 2019

Honorable Council of the City of Scranton  
340 N. Washington Avenue  
Scranton, PA 18503

**RE: Human Relations Commission Appointment**

Dear Council Members:

Please be advised that I am re-appointing Om Timsina, 809 Cedar Avenue, Scranton, PA 18505 as a member of the Human Relations Commission effective September 12, 2019.

Mr. Timsina's term expired on September 16, 2018 and was held over until September 12, 2019. His new term will expire on September 16, 2022.

I respectfully request City Council's concurrence in this appointment.

Sincerely,

Wayne E. Evans

WEE/dan

cc: Jessica Eskra, Esq., City Solicitor  
Dave Bulzoni, Business Administrator  
Human Relations Commission  
Om Timsina



## DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

September 20, 2019

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

RECEIVED  
SEP 24 2019

OFFICE OF CITY  
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION AUTHORIZING RE-APPOINTMENT OF OM TIMSINA, 809 CEDAR AVENUE, SCRANTON, PENNSYLVANIA 18505, AS A MEMBER OF THE HUMAN RELATIONS COMMISSION FOR AN ADDITIONAL FOUR (4) YEAR TERM EFFECTIVE SEPTEMBER 12, 2019. MR. TIMSINA'S TERM EXPIRED ON SEPTEMBER 16, 2018, AND WAS HELD OVER UNTIL SEPTEMBER 12, 2019. HIS NEW TERM WILL EXPIRE ON SEPTEMBER 16, 2022.

THE ADMINISTRATION HAS VERIFIED THAT THE APPOINTEE HAS NO DELINQUENT CITY TAX OR REFUSE PAYMENTS DUE.

Respectfully,

*Jessica Eskra (s)*

Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl

FILE OF THE COUNCIL NO. \_\_\_\_\_

2019

AN ORDINANCE

REPEALING SECTION 1 OF FILE OF THE COUNCIL NO. 12, 2018 OF THE CITY OF SCRANTON AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH AND ADOPTING THE 2015 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS, AND STRUCTURES, BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE CITY OF SCRANTON; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR AND AMENDING SECTION 4 OF FILE OF THE COUNCIL NO. 64 OF 2014 TO REDUCE THE FEE TO FILE AN APPEAL WITH THE HOUSING BOARD OF APPEALS BASED UPON THE TYPE OF MATTER AT ISSUE AND TO PROMOTE RESOLUTIONS OF APPEALS BEFORE PROCEEDING TO HEARING.

WHEREAS, the City wishes to update its edition of the International Property Maintenance Code to combat blight and preserve the life, health, sanitation, safety and aesthetic value for the City of Scranton and its residents; and

WHEREAS, the City also desires to reduce the appeal fee for violation notices and citations and to offer the ability to attempt resolution of appeals prior to hearing to preclude unnecessary litigation;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON that File of the Council No. 12, 2018 An Ordinance be Amended as follows:

**SECTION 1.** that Section 1 of File of the Council No. 12, 2018, an Ordinance entitled, "An Ordinance of the City of Scranton Adopting the 2012 Edition of the International Property Maintenance Code, Regulating and Governing the Conditions and Maintenance of All Property, Buildings, and Structures, by providing the Standards for Supplied Utilities and Facilities and Other Physical Things and Conditions Essential to Ensure that Structures are Safe, Sanitary, and Fit for Occupation and Use; and the Condemnation of Buildings and Structures Unfit for Human Occupancy and Use, and the Demolition of Such Existing Structures in the City of Scranton; Providing for the Issuance of Permits and Collection of Fees Therefor; Repealing Section 1 of Ordinance No. 37, 2014 of the City of Scranton and All Other Ordinances and Parts of Ordinances in Conflict Therewith: is hereby repealed and all other Ordinances or parts of Ordinances in conflict herewith are hereby repealed. All other provisions contained in File of the Council No. 12, 2018 not inconsistent herewith shall remain in full force and effect.

**SECTION 2.** Adoption of the 2015 Edition of the International Property Maintenance Code:

That a certain document, one (1) copy of which is on file in the Office of the City Clerk of the City of Scranton, being marked and designated as "The International Property Maintenance Code, 2015 Edition," as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Scranton in the State of Pennsylvania for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the Office of the

City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any prescribed in Section 2 of this Ordinance.

**SECTION 3.** File of the Council No. 64, 2014, Section 4, Appeals, as amended, is hereby amended and replaced in its entirety to read:

- a. Any owner or agent, as defined in the International Property Maintenance Code, 2015 Edition, aggrieved by the action or decision of the code official or authorized deputy or a notice or order issued under this Ordinance or code shall have the right to appeal such decision or order to the Housing Board of Appeals, provided that a written application for appeal is filed within twenty (20) days after the day of the decision, or the day that notice or order was served. Upon completion, all appeal forms must be submitted with a nonrefundable fee as follows:
  - i. To appeal a Violation Notice/Citation Fee, a fee of One Hundred Fifty (\$150.00) Dollars; or
  - ii. To appeal a Stop Work Order, Condemnation, Demolition, or any other matter, a fee of Three Hundred (\$300) Dollars.
- b. Any person making an appeal to the Housing Board of Appeals will be notified when to appear before the Board within thirty (30) days. The Board will hold a public hearing and, upon evidence and testimony submitted, will render a decision. Any party not in compliance with the decision or order from the Board shall be subject to the penalties of this Ordinance. Any party who seeks to reschedule or cancel an appeal hearing must provide prior notice of five (5) business days of the scheduled hearing. Failure to provide proper notice shall be deemed a violation and subject to a late fee of One Hundred Fifty (\$150.00) Dollars payable to the Department of Licensing, Inspections, and Permits. All late fees must be paid prior to scheduling another hearing date.
- c. Any owner or agent, as defined in the International Property Maintenance Code, 2015 Edition, aggrieved by a decision of the Board of Appeals may appeal to the Court of Common Pleas of Lackawanna County. Appeals shall be made to the proper court within thirty (30) days after the Board's decision.
- d. Following the filing of an appeal but prior to Hearing, if Appellant should so request in writing, the Director for the Department of Licensing, Inspections, and Permits, and/or his Deputy or another authorized representative, shall participate in negotiations to settle the matter with Appellant within a reasonable amount of time not to exceed thirty (30) days.

**SECTION 4.** Severability. All relevant Ordinances, regulations, and policies, as well as provisions of File of the Council No. 64, 2014 of the City of Scranton, Pennsylvania not amended herein shall remain in full force and effect.

**SECTION 5.** Any Ordinance or part of an Ordinance conflicting with the provisions of this Ordinance shall be subordinate to this Ordinance to the extent of such conflict, and the language contained in the Ordinance shall control.

**SECTION 6.** If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes & intent of this Ordinance, & the effective administration thereof.

**SECTION 7.** This Ordinance shall be effective immediately upon approval.

**SECTION 8.** This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.

2015  
INTERNATIONAL CODES®

INTERNATIONAL  
Property Maintenance  
Code®

A Member of the International  
Code Family®

# 2015 IPMC<sup>®</sup>

**INTERNATIONAL**  
Property Maintenance Code<sup>®</sup>

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## CODE ALERT!

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2015 International Property Maintenance Code®

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INTERNATIONAL CODE COUNCIL, INC.

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## PREFACE

### Introduction

Internationally, code officials recognize the need for a modern, up-to-date property maintenance code governing the maintenance of existing buildings. The *International Property Maintenance Code*®, in this 2015 edition, is designed to meet this need through model code regulations that contain clear and specific property maintenance requirements with required property improvement provisions.

This 2015 edition is fully compatible with all of the *International Codes*® (I-Codes®) published by the International Code Council (ICC)®, including the *International Building Code*®, *International Energy Conservation Code*®, *International Existing Building Code*®, *International Fire Code*®, *International Fuel Gas Code*®, *International Green Construction Code*®, *International Mechanical Code*®, *ICC Performance Code*®, *International Plumbing Code*®, *International Private Sewage Disposal Code*®, *International Residential Code*®, *International Swimming Pool and Spa Code*™, *International Wildland-Urban Interface Code*® and *International Zoning Code*®.

The *International Property Maintenance Code* requirements provide many benefits, among which is the model code development process that offers an international forum for code officials and other interested parties to discuss performance and prescriptive code requirements. This forum provides an excellent arena to debate proposed revisions. This model code also encourages international consistency in the application of provisions.

### Development

The first edition of the *International Property Maintenance Code* (1998) was the culmination of an effort initiated in 1996 by a code development committee appointed by ICC and consisting of representatives of the three statutory members of the International Code Council at that time, including: Building Officials and Code Administrators International, Inc. (BOCA), International Conference of Building Officials (ICBO) and Southern Building Code Congress International (SBCCI). The committee drafted a comprehensive set of regulations for existing buildings that was consistent with the existing model property maintenance codes at the time. This 2015 edition presents the code as originally issued, with changes reflected through the previous 2012 edition and further changes developed through the ICC Code Development Process through 2013. A new edition of the code is promulgated every 3 years.

This code is founded on principles intended to establish provisions consistent with the scope of a property maintenance code that adequately protects public health, safety and welfare; provisions that do not unnecessarily increase construction costs; provisions that do not restrict the use of new materials, products or methods of construction; and provisions that do not give preferential treatment to particular types or classes of materials, products or methods of construction.

### Adoption

The International Code Council maintains a copyright in all of its codes and standards. Maintaining copyright allows ICC to fund its mission through sales of books, in both print and electronic formats. The *International Property Maintenance Code* is designed for adoption and use by jurisdictions that recognize and acknowledge the ICC's copyright in the code, and further acknowledge the substantial shared value of the public/private partnership for code development between jurisdictions and the ICC.

The ICC also recognizes the need for jurisdictions to make laws available to the public. All ICC codes and ICC standards, along with the laws of many jurisdictions, are available for free in a non-downloadable form on the ICC's website. Jurisdictions should contact the ICC at [adoptions@icc-safe.org](mailto:adoptions@icc-safe.org) to learn how to adopt and distribute laws based on the *International Property Maintenance Code* in a manner that provides necessary access, while maintaining the ICC's copyright.

## Maintenance

The *International Property Maintenance Code* is kept up to date through the review of proposed changes submitted by code enforcing officials, industry representatives, design professionals and other interested parties. Proposed changes are carefully considered through an open code development process in which all interested and affected parties may participate.

The contents of this work are subject to change through both the code development cycles and the governmental body that enacts the code into law. For more information regarding the code development process, contact the Codes and Standards Development Department of the International Code Council.

While the development procedure of the *International Property Maintenance Code* ensures the highest degree of care, the ICC, its members and those participating in the development of this code do not accept any liability resulting from compliance or noncompliance with the provisions because the ICC does not have the power or authority to police or enforce compliance with the contents of this code. Only the governmental body that enacts the code into law has such authority.

## Code Development Committee Responsibilities (Letter Designations in Front of Section Numbers)

In each code development cycle, proposed changes to this code are considered at the Committee Action Hearings by the International Property Maintenance/Zoning Code Development Committee, whose action constitutes a recommendation to the voting membership for final action on the proposed changes. Proposed changes to a code section having a number beginning with a letter in brackets are considered by a different code development committee. For example, proposed changes to code sections that have the letter [F] in front of them (e.g., [F] 704.1) are considered by the International Fire Code Development Committee at the Committee Action Hearings.

The content of sections in this code that begin with a letter designation is maintained by another code development committee in accordance with the following:

- [A] = Administrative Code Development Committee;
- [F] = International Fire Code Development Committee;
- [P] = International Plumbing Code Development Committee;
- [BE] = IBC – Means of Egress Code Development Committee; and
- [BG] = IBC – General Code Development Committee.

For the development of the 2018 edition of the I-Codes, there will be three groups of code development committees and they will meet in separate years. Note that these are tentative groupings.

Group A Codes (Heard in 2015, Code Change Proposals Deadline: January 12, 2015)	Group B Codes (Heard in 2016, Code Change Proposals Deadline: January 11, 2016)	Group C Codes (Heard in 2017, Code Change Proposals Deadline: January 11, 2017)
International Building Code – Fire Safety (Chapters 7, 8, 9, 14, 26) – Means of Egress (Chapters 10, 11, Appendix E) – General (Chapters 2-6, 12, 27-33, Appendices A, B, C, D, K)	Administrative Provisions (Chapter 1 of all codes except IRC and IECC, administrative updates to currently referenced standards, and designated definitions)	International Green Construction Code
International Fuel Gas Code	International Building Code – Structural (Chapters 15-25, Appendices F, G, H, I, J, L, M)	
International Existing Building Code	International Energy Conservation Code	
International Mechanical Code	International Fire Code	
International Plumbing Code	International Residential Code – IRC-B (Chapters 1-10, Appendices E, F, H, J, K, L M, O, R, S, T, U)	
International Private Sewage Disposal Code	International Wildland-Urban Interface Code	
International Property Maintenance Code		
International Residential Code – IRC-Mechanical (Chapters 12-24) – IRC-Plumbing (Chapter 25-33, Appendices G, I, N, P)		
International Swimming Pool and Spa Code		
International Zoning Code		

**Note:** Proposed changes to the ICC Performance Code will be heard by the Code Development Committee noted in brackets [ ] in the text of the code.

Code change proposals submitted for code sections that have a letter designation in front of them will be heard by the respective committee responsible for such code sections. Because different committees hold code development hearings in different years, it is possible that some proposals for this code will be heard by committees in both the 2015 (Group A) and the 2016 (Group B) code development cycles.

For instance, every section of Chapter 1 of this code is designated as the responsibility of the Administrative Code Development Committee, and that committee is part of the Group B portion of the hearings. This committee will hold its code development hearings in 2016 to consider all code change proposals for Chapter 1 of this code and proposals for Chapter 1 of all I-Codes except the *International Energy Conservation Code*, *International Residential Code* and *ICC Performance Code*. Therefore, any proposals received for Chapter 1 of this code will be assigned to the Administrative Code Development Committee for consideration in 2016.

It is very important that anyone submitting code change proposals understand which code development committee is responsible for the section of the code that is the subject of the code change proposal. For further information on the code development committee responsibilities, please visit the ICC website at [www.iccsafe.org/scoping](http://www.iccsafe.org/scoping).

## Marginal Markings

Solid vertical lines in the margins within the body of the code indicate a technical change from the requirements of the 2012 edition. Deletion indicators in the form of an arrow (➡) are provided in the margin where an entire section, paragraph, exception or table has been deleted or an item in a list of items or a table has been deleted.

A single asterisk [\*] placed in the margin indicates that text or a table has been relocated within the code. A double asterisk [\*\*] placed in the margin indicates that the text or table immediately

following it has been relocated there from elsewhere in the code. The following table indicates such relocations in the 2015 edition of the *International Property Maintenance Code*.

2015 LOCATION	2012 LOCATION
None	None

## Italicized Terms

Selected terms set forth in Chapter 2, Definitions, are italicized where they appear in code text. Such terms are not italicized where the definition set forth in Chapter 2 does not impart the intended meaning in the use of the term. The terms selected have definitions that the user should read carefully to facilitate better understanding of the code.

## EFFECTIVE USE OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE

The *International Property Maintenance Code* (IPMC) is a model code that regulates the minimum maintenance requirements for existing buildings.

The IPMC is a maintenance document intended to establish minimum maintenance standards for basic equipment, light, ventilation, heating, sanitation and fire safety. Responsibility is fixed among owners, operators and occupants for code compliance. The IPMC provides for the regulation and safe use of existing structures in the interest of the social and economic welfare of the community.

### Arrangement and Format of the 2015 IPMC

Before applying the requirements of the IPMC it is beneficial to understand its arrangement and format. The IPMC, like other codes published by ICC, is arranged and organized to follow sequential steps that generally occur during an inspection. The IPMC is divided into eight different parts:

Chapters	Subjects
1	Administration
2	Definitions
3	General Requirements
4	Light, Ventilation and Occupancy Limitations
5	Plumbing Facilities and Fixture Requirements
6	Mechanical and Electrical Requirements
7	Fire Safety Requirements
8	Referenced Standards

The following is a chapter-by-chapter synopsis of the scope and intent of the provisions of the *International Property Maintenance Code*:

**Chapter 1 Scope and Administration.** This chapter contains provisions for the application, enforcement and administration of subsequent requirements of the code. In addition to establishing the scope of the code, Chapter 1 identifies which buildings and structures come under its purview. Chapter 1 is largely concerned with maintaining “due process of law” in enforcing the property maintenance criteria contained in the body of the code. Only through careful observation of the administrative provisions can the building official reasonably expect to demonstrate that “equal protection under the law” has been provided.

**Chapter 2 Definitions.** All terms that are defined in the code are listed alphabetically in Chapter 2. While a defined term may be used in one chapter or another, the meaning provided in Chapter 2 is applicable throughout the code.

Where understanding of a term’s definition is especially key to or necessary for understanding of a particular code provision, the term is shown in *italics* wherever it appears in the code. This is true only for those terms that have a meaning that is unique to the code. In other words, the generally understood meaning of a term or phrase might not be sufficient or consistent with the meaning prescribed by the code; therefore, it is essential that the code-defined meaning be known.

Guidance is provided regarding tense, gender and plurality of defined terms as well as terms not defined in this code.

**Chapter 3 General Requirements.** Chapter 3, “General Requirements,” is broad in scope. It includes a variety of requirements for the exterior property areas as well as the interior and exterior elements of the structure. This chapter provides requirements that are intended to maintain a minimum level of safety and sanitation for both the general public and the occupants of a structure, and to maintain a building’s structural and weather-resistance performance. Chapter 3 provides specific criteria for regulating the installation and maintenance of specific building components; maintenance requirements for vacant structures and land; requirements regulating the safety, sanitation and appearance of the interior and exterior of structures and all exterior property areas; accessory structures; vehicle storage regulations and establishes who is responsible for complying with the chapter’s provisions. This chapter also contains the requirements for swimming pools, spas and hot tubs and the requirements for protective barriers and gates in these barriers. Chapter 3 establishes the responsible parties for exterminating insects and rodents, and maintaining sanitary conditions in all types of occupancies.

**Chapter 4 Light, Ventilation and Occupancy Limitations.** The purpose of Chapter 4 is to set forth these requirements in the code and to establish the minimum environment for occupiable and habitable buildings, by establishing the minimum criteria for light and ventilation and identifies occupancy limitations including minimum room width and area, minimum ceiling height and restrictions to prevent overcrowding. This chapter also provides for alternative arrangements of windows and other devices to comply with the requirements for light and ventilation and prohibits certain room arrangements and occupancy uses.

**Chapter 5 Plumbing Facilities and Fixture Requirements.** Chapter 5 establishes the minimum criteria for the installation, maintenance and location of plumbing systems and facilities, including the water supply system, water heating appliances, sewage disposal system and related plumbing fixtures.

Sanitary and clean conditions in occupied buildings are dependent upon certain basic plumbing principles, including providing potable water to a building, providing the basic fixtures to effectively utilize that water and properly removing waste from the building. Chapter 5 establishes the minimum criteria to verify that these principles are maintained throughout the life of a building.

**Chapter 6 Mechanical and Electrical Requirements.** The purpose of Chapter 6 is to establish minimum performance requirements for heating, electrical and mechanical facilities and to establish minimum standards for the safety of these facilities.

This chapter establishes minimum criteria for the installation and maintenance of the following: heating and air-conditioning equipment, appliances and their supporting systems; water heating equipment, appliances and systems; cooking equipment and appliances; ventilation and exhaust equipment; gas and liquid fuel distribution piping and components; fireplaces and solid fuel-burning appliances; chimneys and vents; electrical services; lighting fixtures; electrical receptacle outlets; electrical distribution system equipment, devices and wiring; and elevators, escalators and dumb-waiters.

**Chapter 7 Fire Safety Requirements.** The purpose of Chapter 7 is to address those fire hazards that arise as the result of a building’s occupancy. It also provides minimum requirements for fire safety issues that are most likely to arise in older buildings.

This chapter contains requirements for means of egress in existing buildings, including path of travel, required egress width, means of egress doors and emergency escape openings.

Chapter 7 establishes the minimum requirements for fire safety facilities and fire protection systems, as these are essential fire safety systems.

**Chapter 8 Referenced Standards.** The code contains numerous references to standards that are used to regulate materials and methods of construction. Chapter 8 contains a comprehensive list of all standards that are referenced in the code. The standards are part of the code to the extent of the reference to the standard. Compliance with the referenced standard is necessary for compliance with this code. By providing specifically adopted standards, the construction and installation requirements necessary for compliance with the code can be readily determined. The basis for code compliance is, therefore, established and available on an equal basis to the code official, contractor, designer and owner.

Chapter 8 is organized in a manner that makes it easy to locate specific standards. It lists all of the referenced standards, alphabetically, by acronym of the promulgating agency of the standard. Each agency's standards are then listed in either alphabetical or numeric order based upon the standard identification. The list also contains the title of the standard; the edition (date) of the standard referenced; any addenda included as part of the ICC adoption; and the section or sections of this code that reference the standard.



## LEGISLATION

Jurisdictions wishing to adopt the 2015 *International Property Maintenance Code* as an enforceable regulation governing existing structures and premises should ensure that certain factual information is included in the adopting legislation at the time adoption is being considered by the appropriate governmental body. The following sample adoption legislation addresses several key elements, including the information required for insertion into the code text.

### SAMPLE LEGISLATION FOR ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE ORDINANCE NO. \_\_\_\_\_

A[N] [ORDINANCE/STATUTE/REGULATION] of the [JURISDICTION] adopting the 2015 edition of the *International Property Maintenance Code*, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the [JURISDICTION]; providing for the issuance of permits and collection of fees therefor; repealing [ORDINANCE/STATUTE/REGULATION] No. \_\_\_\_\_ of the [JURISDICTION] and all other ordinances or parts of laws in conflict therewith.

The [GOVERNING BODY] of the [JURISDICTION] does ordain as follows:

**Section 1.** That a certain document, three (3) copies of which are on file in the office of the [TITLE OF JURISDICTION'S KEEPER OF RECORDS] of [NAME OF JURISDICTION], being marked and designated as the *International Property Maintenance Code*, 2015 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the [JURISDICTION], in the State of [STATE NAME] for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the [JURISDICTION] are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**Section 2.** The following sections are hereby revised:

Section 101.1. Insert: [NAME OF JURISDICTION]

Section 103.5. Insert: [APPROPRIATE SCHEDULE]

Section 112.4. Insert: [DOLLAR AMOUNT IN TWO LOCATIONS]

Section 302.4. Insert: [HEIGHT IN INCHES]

Section 304.14. Insert: [DATES IN TWO LOCATIONS]

Section 602.3. Insert: [DATES IN TWO LOCATIONS]

Section 602.4. Insert: [DATES IN TWO LOCATIONS]

**Section 3.** That [ORDINANCE/STATUTE/REGULATION] No. \_\_\_\_\_ of [JURISDICTION] entitled [FILL IN HERE THE COMPLETE TITLE OF THE LEGISLATION OR LAWS IN EFFECT AT THE PRESENT TIME SO THAT THEY WILL BE REPEALED BY DEFINITE MENTION] and all other ordinances or parts of laws in conflict herewith are hereby repealed.

**Section 4.** That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The [GOVERNING BODY] hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 5.** That nothing in this legislation or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired

or existing, under any act or ordinance hereby repealed as cited in Section 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

**Section 6.** That the [JURISDICTION'S KEEPER OF RECORDS] is hereby ordered and directed to cause this legislation to be published. (An additional provision may be required to direct the number of times the legislation is to be published and to specify that it is to be in a newspaper in general circulation. Posting may also be required.)

**Section 7.** That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect [TIME PERIOD] from and after the date of its final passage and adoption.

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## CHAPTER 1

# SCOPE AND ADMINISTRATION

### PART 1 — SCOPE AND APPLICATION

#### SECTION 101 GENERAL

[A] **101.1 Title.** These regulations shall be known as the *International Property Maintenance Code* of [NAME OF JURISDICTION], hereinafter referred to as "this code."

[A] **101.2 Scope.** The provisions of this code shall apply to all existing residential and nonresidential structures and all existing *premises* and constitute minimum requirements and standards for *premises*, structures, equipment and facilities for light, *ventilation*, space, heating, sanitation, protection from the elements, a reasonable level of safety from fire and other hazards, and for a reasonable level of sanitary maintenance; the responsibility of *owners*, an owner's authorized agent, *operators* and *occupants*; the *occupancy* of existing structures and *premises*, and for administration, enforcement and penalties.

[A] **101.3 Intent.** This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued *occupancy* and maintenance of structures and *premises*. Existing structures and *premises* that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

[A] **101.4 Severability.** If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

#### SECTION 102 APPLICABILITY

[A] **102.1 General.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

[A] **102.2 Maintenance.** Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or *premises* was constructed, altered or repaired shall be maintained in good working order. No *owner*, owner's authorized agent, *operator* or *occupant* shall cause any service, facility, equipment or utility that is required under this section to be removed from, shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not

intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the *owner* or the *owner's* authorized agent shall be responsible for the maintenance of buildings, structures and *premises*.

[A] **102.3 Application of other codes.** Repairs, additions or alterations to a structure, or changes of *occupancy*, shall be done in accordance with the procedures and provisions of the *International Building Code*, *International Existing Building Code*, *International Energy Conservation Code*, *International Fire Code*, *International Fuel Gas Code*, *International Mechanical Code*, *International Residential Code*, *International Plumbing Code* and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the *International Zoning Code*.

[A] **102.4 Existing remedies.** The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure that is dangerous, unsafe and insanitary.

[A] **102.5 Workmanship.** Repairs, maintenance work, alterations or installations that are caused directly or indirectly by the enforcement of this code shall be executed and installed in a *workmanlike* manner and installed in accordance with the manufacturer's instructions.

[A] **102.6 Historic buildings.** The provisions of this code shall not be mandatory for existing buildings or structures designated as historic buildings where such buildings or structures are judged by the *code official* to be safe and in the public interest of health, safety and welfare.

[A] **102.7 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

**Exception:** Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply.

[A] **102.7.1 Conflicts.** Where conflicts occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

[A] **102.7.2 Provisions in referenced codes and standards.** Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

[A] **102.8 Requirements not covered by code.** Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the pub-

## SCOPE AND ADMINISTRATION

lic safety, health and general welfare, not specifically covered by this code, shall be determined by the *code official*.

[A] 102.9 **Application of references.** References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

[A] 102.10 **Other laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

## PART 2 — ADMINISTRATION AND ENFORCEMENT

### SECTION 103 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION

[A] 103.1 **General.** The department of property maintenance inspection is hereby created and the executive official in charge thereof shall be known as the *code official*.

[A] 103.2 **Appointment.** The *code official* shall be appointed by the chief appointing authority of the jurisdiction.

[A] 103.3 **Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *code official* shall have the authority to appoint a deputy(s). Such employees shall have powers as delegated by the *code official*.

[A] 103.4 **Liability.** The *code official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.

[A] 103.4.1 **Legal defense.** Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The *code official* or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

[A] 103.5 **Fees.** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule.

[JURISDICTION TO INSERT APPROPRIATE SCHEDULE.]

### SECTION 104 DUTIES AND POWERS OF THE CODE OFFICIAL

[A] 104.1 **General.** The *code official* is hereby authorized and directed to enforce the provisions of this code. The *code official* shall have the authority to render interpretations of this code and to adopt policies and procedures in order to

clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

[A] 104.2 **Inspections.** The *code official* shall make all of the required inspections, or shall accept reports of inspection by *approved* agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such *approved* agency or by the responsible individual. The *code official* is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

[A] 104.3 **Right of entry.** Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the *code official* has reasonable cause to believe that there exists in a *structure* or upon a *premises* a condition in violation of this code, the *code official* is authorized to enter the *structure* or *premises* at reasonable times to inspect or perform the duties imposed by this code, provided that if such *structure* or *premises* is occupied the *code official* shall present credentials to the *occupant* and request entry. If such *structure* or *premises* is unoccupied, the *code official* shall first make a reasonable effort to locate the *owner*, *owner's* authorized agent or other person having charge or control of the *structure* or *premises* and request entry. If entry is refused, the *code official* shall have recourse to the remedies provided by law to secure entry.

[A] 104.4 **Identification.** The *code official* shall carry proper identification when inspecting *structures* or *premises* in the performance of duties under this code.

[A] 104.5 **Notices and orders.** The *code official* shall issue all necessary notices or orders to ensure compliance with this code.

[A] 104.6 **Department records.** The *code official* shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records for the period required for retention of public records.

### SECTION 105 APPROVAL

[A] 105.1 **Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of this code, the *code official* shall have the authority to grant modifications for individual cases upon application of the *owner* or *owner's* authorized agent, provided the *code official* shall first find that special individual reason makes the strict letter of this code impractical, the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

[A] 105.2 **Alternative materials, methods and equipment.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided

## SCOPE AND ADMINISTRATION

including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the *code official* deems necessary to meet such emergency.

**[A] 109.3 Closing streets.** When necessary for public safety, the *code official* shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, *public ways* and places adjacent to unsafe structures, and prohibit the same from being utilized.

**[A] 109.4 Emergency repairs.** For the purposes of this section, the *code official* shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

**[A] 109.5 Costs of emergency repairs.** Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the *owner* of the *premises* or *owner's* authorized agent where the unsafe structure is or was located for the recovery of such costs.

**[A] 109.6 Hearing.** Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

## SECTION 110 DEMOLITION

**[A] 110.1 General.** The *code official* shall order the *owner* or *owner's* authorized agent of any *premises* upon which is located any structure, which in the *code official's* or *owner's* authorized agent judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the *owner's* option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the *code official* shall order the *owner* or *owner's* authorized agent to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless *approved* by the building official.

**[A] 110.2 Notices and orders.** Notices and orders shall comply with Section 107.

**[A] 110.3 Failure to comply.** If the *owner* of a *premises* or *owner's* authorized agent fails to comply with a demolition order within the time prescribed, the *code official* shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

**[A] 110.4 Salvage materials.** When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

## SECTION 111 MEANS OF APPEAL

**[A] 111.1 Application for appeal.** Any person directly affected by a decision of the *code official* or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

**[A] 111.2 Membership of board.** The board of appeals shall consist of not less than three members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The *code official* shall be an ex-officio member but shall have no vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.

**[A] 111.2.1 Alternate members.** The chief appointing authority shall appoint not less than two alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership.

**[A] 111.2.2 Chairman.** The board shall annually select one of its members to serve as chairman.

**[A] 111.2.3 Disqualification of member.** A member shall not hear an appeal in which that member has a personal, professional or financial interest.

**[A] 111.2.4 Secretary.** The chief administrative officer shall designate a qualified person to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

**[A] 111.2.5 Compensation of members.** Compensation of members shall be determined by law.

**[A] 111.3 Notice of meeting.** The board shall meet upon notice from the chairman, within 20 days of the filing of an appeal, or at stated periodic meetings.

**[A] 111.4 Open hearing.** Hearings before the board shall be open to the public. The appellant, the appellant's representa-

tive, the *code official* and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of a minimum of two-thirds of the board membership.

[A] 111.4.1 **Procedure.** The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

[A] 111.5 **Postponed hearing.** When the full board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

[A] 111.6 **Board decision.** The board shall modify or reverse the decision of the *code official* only by a concurring vote of a majority of the total number of appointed board members.

[A] 111.6.1 **Records and copies.** The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the *code official*.

[A] 111.6.2 **Administration.** The *code official* shall take immediate action in accordance with the decision of the board.

[A] 111.7 **Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

[A] 111.8 **Stays of enforcement.** Appeals of notice and orders (other than *Imminent Danger* notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

## SECTION 112 STOP WORK ORDER

[A] 112.1 **Authority.** Whenever the *code official* finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the *code official* is authorized to issue a stop work order.

[A] 112.2 **Issuance.** A stop work order shall be in writing and shall be given to the *owner* of the property, to the *owner's* authorized agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

[A] 112.3 **Emergencies.** Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

[A] 112.4 **Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to

remove a violation or unsafe condition, shall be liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.



## CHAPTER 2

# DEFINITIONS

### SECTION 201 GENERAL

**201.1 Scope.** Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

**201.2 Interchangeability.** Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

**201.3 Terms defined in other codes.** Where terms are not defined in this code and are defined in the *International Building Code*, *International Existing Building Code*, *International Fire Code*, *International Fuel Gas Code*, *International Mechanical Code*, *International Plumbing Code*, *International Residential Code*, *International Zoning Code* or NFPA 70, such terms shall have the meanings ascribed to them as stated in those codes.

**201.4 Terms not defined.** Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

**201.5 Parts.** Whenever the words "dwelling unit," "dwelling," "premises," "building," "rooming house," "rooming unit," "housekeeping unit" or "story" are stated in this code, they shall be construed as though they were followed by the words "or any part thereof."

### SECTION 202 GENERAL DEFINITIONS

**ANCHORED.** Secured in a manner that provides positive connection.

**[A] APPROVED.** Acceptable to the *code official*.

**BASEMENT.** That portion of a building which is partly or completely below grade.

**BATHROOM.** A room containing plumbing fixtures including a bathtub or shower.

**BEDROOM.** Any room or space used or intended to be used for sleeping purposes in either a dwelling or *sleeping unit*.

**[A] CODE OFFICIAL.** The official who is charged with the administration and enforcement of this code, or any duly authorized representative.

**CONDEMN.** To adjudge unfit for *occupancy*.

**COST OF SUCH DEMOLITION OR EMERGENCY REPAIRS.** The costs shall include the actual costs of the demolition or repair of the structure less revenues obtained if salvage was conducted prior to demolition or repair. Costs shall include, but not be limited to, expenses incurred or necessitated related to demolition or emergency repairs, such

as asbestos survey and abatement if necessary; costs of inspectors, testing agencies or experts retained relative to the demolition or emergency repairs; costs of testing; surveys for other materials that are controlled or regulated from being dumped in a landfill; title searches; mailing(s); postings; recording; and attorney fees expended for recovering of the cost of emergency repairs or to obtain or enforce an order of demolition made by a *code official*, the governing body or board of appeals.

**DETACHED.** When a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.

**DETERIORATION.** To weaken, disintegrate, corrode, rust or decay and lose effectiveness.

**[BG] DWELLING UNIT.** A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

**[Z] EASEMENT.** That portion of land or property reserved for present or future use by a person or agency other than the legal fee *owner(s)* of the property. The *easement* shall be permitted to be for use under, on or above a said lot or lots.

**EQUIPMENT SUPPORT.** Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers or saddles, that transmit gravity load, lateral load and operating load between the equipment and the structure.

**EXTERIOR PROPERTY.** The open space on the *premises* and on adjoining property under the control of *owners* or *operators* of such *premises*.

**GARBAGE.** The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

**[BE] GUARD.** A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

**[BG] HABITABLE SPACE.** Space in a structure for living, sleeping, eating or cooking. *Bathrooms*, *toilet rooms*, closets, halls, storage or utility spaces, and similar areas are not considered *habitable spaces*.

**HISTORIC BUILDING.** Any building or structure that is one or more of the following:

1. Listed or certified as eligible for listing, by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, in the National Register of Historic Places.
2. Designated as historic under an applicable state or local law.

## DEFINITIONS

3. Certified as a contributing resource within a National Register or state or locally designated historic district.

**HOUSEKEEPING UNIT.** A room or group of rooms forming a single *habitable space* equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

**IMMINENT DANGER.** A condition which could cause serious or life-threatening injury or death at any time.

**INFESTATION.** The presence, within or contiguous to, a structure or *premises* of insects, rats, vermin or other pests.

**INOPERABLE MOTOR VEHICLE.** A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

**[A] LABELED.** Equipment, materials or products to which have been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-*labeled* items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.

**LET FOR OCCUPANCY or LET.** To permit, provide or offer possession or *occupancy* of a dwelling, *dwelling unit*, *rooming unit*, building, premise or structure by a person who is or is not the legal *owner* of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

**NEGLECT.** The lack of proper maintenance for a building or *structure*.

**[A] OCCUPANCY.** The purpose for which a building or portion thereof is utilized or occupied.

**OCCUPANT.** Any individual living or sleeping in a building, or having possession of a space within a building.

**OPENABLE AREA.** That part of a window, skylight or door which is available for unobstructed *ventilation* and which opens directly to the outdoors.

**OPERATOR.** Any person who has charge, care or control of a structure or *premises* which is let or offered for *occupancy*.

**[A] OWNER.** Any person, agent, *operator*, firm or corporation having legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

**PERSON.** An individual, corporation, partnership or any other group acting as a unit.

**PEST ELIMINATION.** The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other *approved pest elimination* methods.

**[A] PREMISES.** A lot, plot or parcel of land, *easement* or *public way*, including any structures thereon.

**[A] PUBLIC WAY.** Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

**ROOMING HOUSE.** A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

**ROOMING UNIT.** Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

**RUBBISH.** Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, *yard* trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

**[BG] SLEEPING UNIT.** A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a *dwelling unit* are not *sleeping units*.

**STRICT LIABILITY OFFENSE.** An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

**[A] STRUCTURE.** That which is built or constructed or a portion thereof.

**TENANT.** A person, corporation, partnership or group, whether or not the legal *owner* of record, occupying a building or portion thereof as a unit.

**TOILET ROOM.** A room containing a water closet or urinal but not a bathtub or shower.

**ULTIMATE DEFORMATION.** The deformation at which failure occurs and which shall be deemed to occur if the sustainable load reduces to 80 percent or less of the maximum strength.

**[M] VENTILATION.** The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

**WORKMANLIKE.** Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

**[Z] YARD.** An open space on the same lot with a structure.

## CHAPTER 3

# GENERAL REQUIREMENTS

### SECTION 301 GENERAL

**301.1 Scope.** The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and *exterior property*.

**301.2 Responsibility.** The *owner* of the *premises* shall maintain the structures and *exterior property* in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy *premises* that are not in a sanitary and safe condition and that do not comply with the requirements of this chapter. *Occupants* of a *dwelling unit*, *rooming unit* or *housekeeping unit* are responsible for keeping in a clean, sanitary and safe condition that part of the *dwelling unit*, *rooming unit*, *housekeeping unit* or *premises* which they occupy and control.

**301.3 Vacant structures and land.** Vacant structures and *premises* thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

### SECTION 302 EXTERIOR PROPERTY AREAS

**302.1 Sanitation.** *Exterior property* and *premises* shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* that such *occupant* occupies or controls in a clean and sanitary condition.

**302.2 Grading and drainage.** *Premises* shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

**Exception:** *Approved* retention areas and reservoirs.

**302.3 Sidewalks and driveways.** Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

**302.4 Weeds.** *Premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of [JURISDICTION TO INSERT HEIGHT IN INCHES]. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of viola-

tion, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

**302.5 Rodent harborage.** Structures and *exterior property* shall be kept free from rodent harborage and *infestation*. Where rodents are found, they shall be promptly exterminated by *approved* processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

**302.6 Exhaust vents.** Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another *tenant*.

**302.7 Accessory structures.** Accessory structures, including *detached* garages, fences and walls, shall be maintained structurally sound and in good repair.

**302.8 Motor vehicles.** Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any *premises*, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an *approved* spray booth.

**Exception:** A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and *approved* for such purposes.

**302.9 Defacement of property.** No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the *owner* to restore said surface to an *approved* state of maintenance and repair.

### SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS

**303.1 Swimming pools.** Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

**303.2 Enclosures.** Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is not less than 54 inches (1372 mm) above the bottom of the

## GENERAL REQUIREMENTS

gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

**Exception:** Spas or hot tubs with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section.

### SECTION 304 EXTERIOR STRUCTURE

**304.1 General.** The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

**304.1.1 Unsafe conditions.** The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The *anchorage* of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;
5. Structural members that have evidence of *deterioration* or that are not capable of safely supporting all nominal loads and load effects;
6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
7. Exterior walls that are not *anchored* to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of *deterioration*, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;

9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of *deterioration* or fatigue, are not properly *anchored* or are incapable of supporting all nominal loads and resisting all load effects;
10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;
12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including *guards* and handrails, are not structurally sound, not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects; or
13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly *anchored*, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

**Exceptions:**

1. Where substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

**304.2 Protective treatment.** Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

**[F] 304.3 Premises identification.** Buildings shall have *approved* address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be not less than 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

## GENERAL REQUIREMENTS

**304.4 Structural members.** Structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.

**304.5 Foundation walls.** Foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

**304.6 Exterior walls.** Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*.

**304.7 Roofs and drainage.** The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

**304.8 Decorative features.** Cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

**304.9 Overhang extensions.** Overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly *anchored* so as to be kept in a sound condition. Where required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

**304.10 Stairways, decks, porches and balconies.** Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

**304.11 Chimneys and towers.** Chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. Exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

**304.12 Handrails and guards.** Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**304.13 Window, skylight and door frames.** Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

**304.13.1 Glazing.** Glazing materials shall be maintained free from cracks and holes.

**304.13.2 Openable windows.** Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

**304.14 Insect screens.** During the period from [DATE] to [DATE], every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be

included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

**Exception:** Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

**304.15 Doors.** Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

**304.16 Basement hatchways.** Every *basement* hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

**304.17 Guards for basement windows.** Every *basement* window that is openable shall be supplied with rodent shields, storm windows or other *approved* protection against the entry of rodents.

**304.18 Building security.** Doors, windows or hatchways for *dwelling units*, room units or *housekeeping units* shall be provided with devices designed to provide security for the *occupants* and property within.

**304.18.1 Doors.** Doors providing access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

**304.18.2 Windows.** Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a window sash locking device.

**304.18.3 Basement hatchways.** *Basement* hatchways that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

**304.19 Gates.** Exterior gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates.

## SECTION 305 INTERIOR STRUCTURE

**305.1 General.** The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. *Occupants* shall keep that part of

## GENERAL REQUIREMENTS

the structure that they occupy or control in a clean and sanitary condition. Every *owner* of a structure containing a *rooming house*, *housekeeping units*, a hotel, a dormitory, two or more *dwelling units* or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and *exterior property*.

**305.1.1 Unsafe conditions.** The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Structural members are incapable of supporting nominal loads and load effects;
5. Stairs, landings, balconies and all similar walking surfaces, including *guards* and handrails, are not structurally sound, not properly *anchored* or are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;
6. Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.

**Exceptions:**

1. Where substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted when *approved* by the *code official*.

**305.2 Structural members.** Structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

**305.3 Interior surfaces.** Interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

**305.4 Stairs and walking surfaces.** Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

**305.5 Handrails and guards.** Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**305.6 Interior doors.** Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs,

headers or tracks as intended by the manufacturer of the attachment hardware.

## SECTION 306 COMPONENT SERVICEABILITY

**306.1 General.** The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

**306.1.1 Unsafe conditions.** Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. Soils that have been subjected to any of the following conditions:
  - 1.1. Collapse of footing or foundation system;
  - 1.2. Damage to footing, foundation, concrete or other structural element due to soil expansion;
  - 1.3. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil;
  - 1.4. Inadequate soil as determined by a geotechnical investigation;
  - 1.5. Where the allowable bearing capacity of the soil is in doubt; or
  - 1.6. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.
2. Concrete that has been subjected to any of the following conditions:
  - 2.1. *Deterioration*;
  - 2.2. *Ultimate deformation*;
  - 2.3. Fractures;
  - 2.4. Fissures;
  - 2.5. Spalling;
  - 2.6. Exposed reinforcement; or
  - 2.7. *Detached*, dislodged or failing connections.
3. Aluminum that has been subjected to any of the following conditions:
  - 3.1. *Deterioration*;
  - 3.2. Corrosion;
  - 3.3. Elastic deformation;
  - 3.4. *Ultimate deformation*;
  - 3.5. Stress or strain cracks;
  - 3.6. Joint fatigue; or
  - 3.7. *Detached*, dislodged or failing connections.

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4. Masonry that has been subjected to any of the following conditions:
  - 4.1. *Deterioration*;
  - 4.2. *Ultimate deformation*;
  - 4.3. Fractures in masonry or mortar joints;
  - 4.4. Fissures in masonry or mortar joints;
  - 4.5. Spalling;
  - 4.6. Exposed reinforcement; or
  - 4.7. *Detached*, dislodged or failing connections.
5. Steel that has been subjected to any of the following conditions:
  - 5.1. *Deterioration*;
  - 5.2. Elastic deformation;
  - 5.3. *Ultimate deformation*;
  - 5.4. Metal fatigue; or
  - 5.5. *Detached*, dislodged or failing connections.
6. Wood that has been subjected to any of the following conditions:
  - 6.1. *Ultimate deformation*;
  - 6.2. *Deterioration*;
  - 6.3. Damage from insects, rodents and other vermin;
  - 6.4. Fire damage beyond charring;
  - 6.5. Significant splits and checks;
  - 6.6. Horizontal shear cracks;
  - 6.7. Vertical shear cracks;
  - 6.8. Inadequate support;
  - 6.9. *Detached*, dislodged or failing connections; or
  - 6.10. Excessive cutting and notching.

## Exceptions:

1. Where substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

### SECTION 307 HANDRAILS AND GUARDRAILS

**307.1 General.** Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface that is more than 30 inches (762 mm) above the floor or grade below shall have *guards*. Handrails shall be not less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. *Guards* shall be not less than 30 inches (762 mm) in height above the

floor of the landing, balcony, porch, deck, or ramp or other walking surface.

**Exception:** *Guards* shall not be required where exempted by the adopted building code.

### SECTION 308 RUBBISH AND GARBAGE

**308.1 Accumulation of rubbish or garbage.** *Exterior property* and *premises*, and the interior of every structure, shall be free from any accumulation of *rubbish* or garbage.

**308.2 Disposal of rubbish.** Every *occupant* of a structure shall dispose of all *rubbish* in a clean and sanitary manner by placing such *rubbish* in *approved* containers.

**308.2.1 Rubbish storage facilities.** The *owner* of every occupied *premises* shall supply *approved* covered containers for *rubbish*, and the *owner* of the *premises* shall be responsible for the removal of *rubbish*.

**308.2.2 Refrigerators.** Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on *premises* without first removing the doors.

**308.3 Disposal of garbage.** Every *occupant* of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an *approved* garbage disposal facility or *approved* garbage containers.

**308.3.1 Garbage facilities.** The *owner* of every dwelling shall supply one of the following: an *approved* mechanical food waste grinder in each *dwelling unit*; an *approved* incinerator unit in the structure available to the *occupants* in each *dwelling unit*; or an *approved* leakproof, covered, outside garbage container.

**308.3.2 Containers.** The *operator* of every establishment producing garbage shall provide, and at all times cause to be utilized, *approved* leakproof containers provided with close-fitting covers for the storage of such materials until removed from the *premises* for disposal.

### SECTION 309 PEST ELIMINATION

**309.1 Infestation.** Structures shall be kept free from insect and rodent *infestation*. Structures in which insects or rodents are found shall be promptly exterminated by *approved* processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to prevent reinfestation.

**309.2 Owner.** The *owner* of any structure shall be responsible for pest elimination within the structure prior to renting or leasing the structure.

**309.3 Single occupant.** The *occupant* of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for pest elimination on the *premises*.

**309.4 Multiple occupancy.** The *owner* of a structure containing two or more *dwelling units*, a multiple *occupancy*, a

## GENERAL REQUIREMENTS

*rooming house* or a nonresidential structure shall be responsible for pest elimination in the public or shared areas of the structure and *exterior property*. If *infestation* is caused by failure of an *occupant* to prevent such *infestation* in the area occupied, the *occupant* and *owner* shall be responsible for pest elimination.

**309.5 Occupant.** The *occupant* of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

**Exception:** Where the *infestations* are caused by defects in the structure, the *owner* shall be responsible for pest elimination.

## CHAPTER 4

## LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

SECTION 401  
GENERAL

**401.1 Scope.** The provisions of this chapter shall govern the minimum conditions and standards for light, *ventilation* and space for occupying a structure.

**401.2 Responsibility.** The *owner* of the structure shall provide and maintain light, *ventilation* and space conditions in compliance with these requirements. A person shall not occupy as *owner-occupant*, or permit another person to occupy, any *premises* that do not comply with the requirements of this chapter.

**401.3 Alternative devices.** In lieu of the means for natural light and *ventilation* herein prescribed, artificial light or mechanical *ventilation* complying with the *International Building Code* shall be permitted.

SECTION 402  
LIGHT

**402.1 Habitable spaces.** Every *habitable space* shall have not less than one window of *approved* size facing directly to the outdoors or to a court. The minimum total glazed area for every *habitable space* shall be 8 percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

**Exception:** Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be not less than 8 percent of the floor area of the interior room or space, but a minimum of 25 square feet (2.33 m<sup>2</sup>). The exterior glazing area shall be based on the total floor area being served.

**402.2 Common halls and stairways.** Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times with not less than a 60-watt standard incandescent light bulb for each 200 square feet (19 m<sup>2</sup>) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential occupancies, means of egress, including exterior means of egress, stairways shall be illuminated at all times the building space served by the means of egress is occupied with not less than 1 footcandle (11 lux) at floors, landings and treads.

**402.3 Other spaces.** All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe *occupancy* of the space and utilization of the appliances, equipment and fixtures.

SECTION 403  
VENTILATION

**403.1 Habitable spaces.** Every *habitable space* shall have not less than one openable window. The total openable area of the window in every room shall be equal to not less than 45 percent of the minimum glazed area required in Section 402.1.

**Exception:** Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be not less than 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m<sup>2</sup>). The *ventilation* openings to the outdoors shall be based on a total floor area being ventilated.

**403.2 Bathrooms and toilet rooms.** Every *bathroom* and *toilet room* shall comply with the *ventilation* requirements for *habitable spaces* as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical *ventilation* system. Air exhausted by a mechanical *ventilation* system from a *bathroom* or *toilet room* shall discharge to the outdoors and shall not be recirculated.

**403.3 Cooking facilities.** Unless *approved* through the certificate of *occupancy*, cooking shall not be permitted in any *rooming unit* or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in the *rooming unit* or dormitory unit.

**Exceptions:**

1. Where specifically *approved* in writing by the *code official*.
2. Devices such as coffee pots and microwave ovens shall not be considered cooking appliances.

**403.4 Process ventilation.** Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust *ventilation* system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

**403.5 Clothes dryer exhaust.** Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's instructions.

**Exception:** Listed and *labeled* condensing (ductless) clothes dryers.

SECTION 404  
OCCUPANCY LIMITATIONS

**404.1 Privacy.** *Dwelling units*, hotel units, *housekeeping units*, *rooming units* and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

## LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

**404.2 Minimum room widths.** A habitable room, other than a kitchen, shall be not less than 7 feet (2134 mm) in any plan dimension. Kitchens shall have a minimum clear passageway of 3 feet (914 mm) between counterfronts and appliances or counterfronts and walls.

**404.3 Minimum ceiling heights.** *Habitable spaces*, hallways, corridors, laundry areas, *bathrooms*, *toilet rooms* and habitable *basement* areas shall have a minimum clear ceiling height of 7 feet (2134 mm).

### Exceptions:

1. In one- and two-family dwellings, beams or girders spaced not less than 4 feet (1219 mm) on center and projecting a maximum of 6 inches (152 mm) below the required ceiling height.
2. *Basement* rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a minimum ceiling height of 6 feet 8 inches (2033 mm) with a minimum clear height of 6 feet 4 inches (1932 mm) under beams, girders, ducts and similar obstructions.
3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a minimum clear ceiling height of 7 feet (2134 mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a minimum clear ceiling height of 5 feet (1524 mm) shall be included.

**404.4 Bedroom and living room requirements.** Every *bedroom* and living room shall comply with the requirements of Sections 404.4.1 through 404.4.5.

**404.4.1 Room area.** Every living room shall contain not less than 120 square feet (11.2 m<sup>2</sup>) and every bedroom shall contain not less than 70 square feet (6.5 m<sup>2</sup>) and every bedroom occupied by more than one person shall contain not less than 50 square feet (4.6 m<sup>2</sup>) of floor area for each occupant thereof.

**404.4.2 Access from bedrooms.** *Bedrooms* shall not constitute the only means of access to other *bedrooms* or *habitable spaces* and shall not serve as the only means of egress from other *habitable spaces*.

**Exception:** Units that contain fewer than two *bedrooms*.

**404.4.3 Water closet accessibility.** Every *bedroom* shall have access to not less than one water closet and one lavatory without passing through another *bedroom*. Every *bedroom* in a *dwelling unit* shall have access to not less than one water closet and lavatory located in the same story as the *bedroom* or an adjacent story.

**404.4.4 Prohibited occupancy.** Kitchens and nonhabitable spaces shall not be used for sleeping purposes.

**404.4.5 Other requirements.** *Bedrooms* shall comply with the applicable provisions of this code including, but not limited to, the light, *ventilation*, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities require-

ments of Chapter 5; the heating facilities and electrical receptacle requirements of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.

**404.5 Overcrowding.** Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

TABLE 404.5  
MINIMUM AREA REQUIREMENTS

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room <sup>a, b</sup>	120	120	150
Dining room <sup>a, b</sup>	No requirement	80	100
Bedrooms	Shall comply with Section 404.4.1		

For SI: 1 square foot = 0.0929 m<sup>2</sup>.

- a. See Section 404.5.2 for combined living room/dining room spaces.
- b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

**404.5.1 Sleeping area.** The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. Sleeping areas shall comply with Section 404.4.

**404.5.2 Combined spaces.** Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

**404.6 Efficiency unit.** Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than one occupant shall have a minimum clear floor area of 120 square feet (11.2 m<sup>2</sup>). A unit occupied by not more than two *occupants* shall have a minimum clear floor area of 220 square feet (20.4 m<sup>2</sup>). A unit occupied by three *occupants* shall have a minimum clear floor area of 320 square feet (29.7 m<sup>2</sup>). These required areas shall be exclusive of the areas required by Items 2 and 3.
2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a minimum clear working space of 30 inches (762 mm) in front. Light and *ventilation* conforming to this code shall be provided.
3. The unit shall be provided with a separate *bathroom* containing a water closet, lavatory and bathtub or shower.
4. The maximum number of *occupants* shall be three.

**404.7 Food preparation.** All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

## CHAPTER 5

# PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

### SECTION 501 GENERAL

**501.1 Scope.** The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

**501.2 Responsibility.** The *owner* of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as *owner-occupant* or permit another person to occupy any structure or *premises* that does not comply with the requirements of this chapter.

### SECTION 502 REQUIRED FACILITIES

**[P] 502.1 Dwelling units.** Every *dwelling unit* shall contain its own bathtub or shower, lavatory, water closet and kitchen sink that shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

**[P] 502.2 Rooming houses.** Not less than one water closet, lavatory and bathtub or shower shall be supplied for each four *rooming units*.

**[P] 502.3 Hotels.** Where private water closets, lavatories and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each 10 *occupants*.

**[P] 502.4 Employees' facilities.** Not less than one water closet, one lavatory and one drinking facility shall be available to employees.

**[P] 502.4.1 Drinking facilities.** Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in *toilet rooms* or *bathrooms*.

**[P] 502.5 Public toilet facilities.** Public toilet facilities shall be maintained in a safe, sanitary and working condition in accordance with the *International Plumbing Code*. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during *occupancy* of the *premises*.

### SECTION 503 TOILET ROOMS

**[P] 503.1 Privacy.** *Toilet rooms* and *bathrooms* shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking

device shall be provided for all common or shared *bathrooms* and *toilet rooms* in a multiple dwelling.

**[P] 503.2 Location.** *Toilet rooms* and *bathrooms* serving hotel units, *rooming units* or dormitory units or *housekeeping units*, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

**[P] 503.3 Location of employee toilet facilities.** Toilet facilities shall have access from within the employees' working area. The required toilet facilities shall be located not more than one story above or below the employees' working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m). Employee facilities shall either be separate facilities or combined employee and public facilities.

**Exception:** Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of 500 feet (152 m) from the employees' regular working area to the facilities.

**[P] 503.4 Floor surface.** In other than *dwelling units*, every *toilet room* floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

### SECTION 504 PLUMBING SYSTEMS AND FIXTURES

**[P] 504.1 General.** Plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. Plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

**[P] 504.2 Fixture clearances.** Plumbing fixtures shall have adequate clearances for usage and cleaning.

**[P] 504.3 Plumbing system hazards.** Where it is found that a plumbing system in a structure constitutes a hazard to the *occupants* or the structure by reason of inadequate service, inadequate venting, cross connection, backsiphonage, improper installation, *deterioration* or damage or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

### SECTION 505 WATER SYSTEM

**505.1 General.** Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an *approved* private water system. Kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied

that any such alternative has been *approved*. An alternative material or method of construction shall be *approved* where the *code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not *approved*, the *code official* shall respond in writing, stating the reasons the alternative was not *approved*.

**[A] 105.3 Required testing.** Whenever there is insufficient evidence of compliance with the provisions of this code or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *code official* shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

**[A] 105.3.1 Test methods.** Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *code official* shall be permitted to approve appropriate testing procedures performed by an *approved* agency.

**[A] 105.3.2 Test reports.** Reports of tests shall be retained by the *code official* for the period required for retention of public records.

**[A] 105.4 Used material and equipment.** The use of used materials that meet the requirements of this code for new materials is permitted. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested where necessary, placed in good and proper working condition and *approved* by the *code official*.

**[A] 105.5 Approved materials and equipment.** Materials, equipment and devices *approved* by the *code official* shall be constructed and installed in accordance with such approval.

**[A] 105.6 Research reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

## SECTION 106 VIOLATIONS

**[A] 106.1 Unlawful acts.** It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

**[A] 106.2 Notice of violation.** The *code official* shall serve a notice of violation or order in accordance with Section 107.

**[A] 106.3 Prosecution of violation.** Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a *strict liability offense*. If the notice of violation is not complied with, the *code official* shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to

require the removal or termination of the unlawful *occupancy* of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such *premises* shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

**[A] 106.4 Violation penalties.** Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**[A] 106.5 Abatement of violation.** The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal *occupancy* of a building, structure or *premises*, or to stop an illegal act, conduct, business or utilization of the building, structure or *premises*.

## SECTION 107 NOTICES AND ORDERS

**[A] 107.1 Notice to person responsible.** Whenever the *code official* determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section 108.3.

**[A] 107.2 Form.** Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the *dwelling unit* or structure into compliance with the provisions of this code.
5. Inform the property *owner* or owner's authorized agent of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 106.3.

**[A] 107.3 Method of service.** Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first-class mail addressed to the last known address; or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

## SCOPE AND ADMINISTRATION

[A] 107.4 **Unauthorized tampering.** Signs, tags or seals posted or affixed by the *code official* shall not be mutilated, destroyed or tampered with, or removed without authorization from the *code official*.

[A] 107.5 **Penalties.** Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

[A] 107.6 **Transfer of ownership.** It shall be unlawful for the owner of any *dwelling unit* or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such *dwelling unit* or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner or the owner's authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the *code official* and shall furnish to the *code official* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

## SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT

[A] 108.1 **General.** When a structure or equipment is found by the *code official* to be unsafe, or when a structure is found unfit for human *occupancy*, or is found unlawful, such structure shall be *condemned* pursuant to the provisions of this code.

[A] 108.1.1 **Unsafe structures.** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the *occupants* of the structure by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

[A] 108.1.2 **Unsafe equipment.** Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or *occupants* of the *premises* or structure.

[A] 108.1.3 **Structure unfit for human occupancy.** A structure is unfit for human *occupancy* whenever the *code official* finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks *ventilation*, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the *occupants* of the structure or to the public.

[A] 108.1.4 **Unlawful structure.** An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

[A] 108.1.5 **Dangerous structure or premises.** For the purpose of this code, any structure or *premises* that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration*, *neglect*, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become *detached* or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and *occupancy*.
7. The building or structure is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.

9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation*, mechanical or plumbing system, or otherwise, is determined by the *code official* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the *code official* to be a threat to life or health.
11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

[A] 108.2 Closing of vacant structures. If the structure is vacant and unfit for human habitation and *occupancy*, and is not in danger of structural collapse, the *code official* is authorized to post a placard of condemnation on the *premises* and order the structure closed up so as not to be an attractive nuisance. Upon failure of the *owner* or owner's authorized agent to close up the *premises* within the time specified in the order, the *code official* shall cause the *premises* to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and shall be collected by any other legal resource.

[A] 108.2.1 Authority to disconnect service utilities. The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without approval. The *code official* shall notify the serving utility and, whenever possible, the *owner* or owner's authorized agent and *occupant* of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the *owner*, owner's authorized agent or *occupant* of the building structure or service system shall be notified in writing as soon as practical thereafter.

[A] 108.3 Notice. Whenever the *code official* has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the *owner*, owner's authorized agent or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall be placed on the condemned equipment. The notice shall be in the form prescribed in Section 107.2.

[A] 108.4 Placarding. Upon failure of the *owner*, owner's authorized agent or person responsible to comply with the notice provisions within the time given, the *code official* shall post on the *premises* or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the *premises*, operating the equipment or removing the placard.

[A] 108.4.1 Placard removal. The *code official* shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the *code official* shall be subject to the penalties provided by this code.

[A] 108.5 Prohibited occupancy. Any occupied structure condemned and placarded by the *code official* shall be vacated as ordered by the *code official*. Any person who shall occupy a placarded *premises* or shall operate placarded equipment, and any *owner*, owner's authorized agent or person responsible for the *premises* who shall let anyone occupy a placarded *premises* or operate placarded equipment shall be liable for the penalties provided by this code.

[A] 108.6 Abatement methods. The *owner*, owner's authorized agent, *operator* or *occupant* of a building, *premises* or equipment deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action.

[A] 108.7 Record. The *code official* shall cause a report to be filed on an unsafe condition. The report shall state the *occupancy* of the structure and the nature of the unsafe condition.

## SECTION 109 EMERGENCY MEASURES

[A] 109.1 Imminent danger. When, in the opinion of the *code official*, there is *imminent danger* of failure or collapse of a building or structure that endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building *occupants* or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the *code official* is hereby authorized and empowered to order and require the *occupants* to vacate the *premises* forthwith. The *code official* shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

[A] 109.2 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the *code official*, there is *imminent danger* due to an unsafe condition, the *code official* shall order the necessary work to be done,

## PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

with hot or tempered and cold running water in accordance with the *International Plumbing Code*.

**[P] 505.2 Contamination.** The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

**505.3 Supply.** The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

**505.4 Water heating facilities.** Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a minimum temperature of 110°F (43°C). A gas-burning water heater shall not be located in any *bathroom, toilet room, bedroom* or other occupied room normally kept closed, unless adequate combustion air is provided. An *approved* combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

### SECTION 506 SANITARY DRAINAGE SYSTEM

**[P] 506.1 General.** Plumbing fixtures shall be properly connected to either a public sewer system or to an *approved* private sewage disposal system.

**[P] 506.2 Maintenance.** Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

**[P] 506.3 Grease interceptors.** Grease interceptors and automatic grease removal devices shall be maintained in accordance with this code and the manufacturer's installation instructions. Grease interceptors and automatic grease removal devices shall be regularly serviced and cleaned to prevent the discharge of oil, grease, and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant or processes. Records of maintenance, cleaning and repairs shall be available for inspection by the code official.

### SECTION 507 STORM DRAINAGE

**[P] 507.1 General.** Drainage of roofs and paved areas, *yards* and courts, and other open areas on the *premises* shall not be discharged in a manner that creates a public nuisance.

## CHAPTER 6

## MECHANICAL AND ELECTRICAL REQUIREMENTS

SECTION 601  
GENERAL

**601.1 Scope.** The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

**601.2 Responsibility.** The *owner* of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as *owner-occupant* or permit another person to occupy any *premises* that does not comply with the requirements of this chapter.

SECTION 602  
HEATING FACILITIES

**602.1 Facilities required.** Heating facilities shall be provided in structures as required by this section.

**602.2 Residential occupancies.** Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms* based on the winter outdoor design temperature for the locality indicated in Appendix D of the *International Plumbing Code*. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating.

**Exception:** In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

**602.3 Heat supply.** Every *owner* and *operator* of any building who rents, leases or lets one or more *dwelling units* or *sleeping units* on terms, either expressed or implied, to furnish heat to the *occupants* thereof shall supply heat during the period from [DATE] to [DATE] to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.

**Exceptions:**

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the *International Plumbing Code*.
2. In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

**602.4 Occupiable work spaces.** Indoor occupiable work spaces shall be supplied with heat during the period from [DATE] to [DATE] to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

**Exceptions:**

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

**602.5 Room temperature measurement.** The required room temperatures shall be measured 3 feet (914 mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

SECTION 603  
MECHANICAL EQUIPMENT

**603.1 Mechanical appliances.** Mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

**603.2 Removal of combustion products.** Fuel-burning equipment and appliances shall be connected to an *approved* chimney or vent.

**Exception:** Fuel-burning equipment and appliances that are *labeled* for unvented operation.

**603.3 Clearances.** Required clearances to combustible materials shall be maintained.

**603.4 Safety controls.** Safety controls for fuel-burning equipment shall be maintained in effective operation.

**603.5 Combustion air.** A supply of air for complete combustion of the fuel and for *ventilation* of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

**603.6 Energy conservation devices.** Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless *labeled* for such purpose and the installation is specifically *approved*.

SECTION 604  
ELECTRICAL FACILITIES

**604.1 Facilities required.** Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605.

## MECHANICAL AND ELECTRICAL REQUIREMENTS

**604.2 Service.** The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70. *Dwelling units* shall be served by a three-wire, 120/240 volt, single-phase electrical service having a minimum rating of 60 amperes.

**604.3 Electrical system hazards.** Where it is found that the electrical system in a structure constitutes a hazard to the *occupants* or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, *deterioration* or damage, or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

**604.3.1 Abatement of electrical hazards associated with water exposure.** The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.

**604.3.1.1 Electrical equipment.** Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, ballasts, motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the *International Building Code*.

**Exception:** The following equipment shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement:

1. Enclosed switches, rated a maximum of 600 volts or less;
2. Busway, rated a maximum of 600 volts;
3. Panelboards, rated a maximum of 600 volts;
4. Switchboards, rated a maximum of 600 volts;
5. Fire pump controllers, rated a maximum of 600 volts;
6. Manual and magnetic motor controllers;
7. Motor control centers;
8. Alternating current high-voltage circuit breakers;
9. Low-voltage power circuit breakers;
10. Protective relays, meters and current transformers;
11. Low- and medium-voltage switchgear;
12. Liquid-filled transformers;
13. Cast-resin transformers;
14. Wire or cable that is suitable for wet locations and whose ends have not been exposed to water;

15. Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water;
16. Luminaires that are listed as submersible;
17. Motors;
18. Electronic control, signaling and communication equipment.

**604.3.2 Abatement of electrical hazards associated with fire exposure.** The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to fire.

**604.3.2.1 Electrical equipment.** Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits, that have been exposed to fire, shall be replaced in accordance with the provisions of the *International Building Code*.

**Exception:** Electrical switches, receptacles and fixtures that shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement.

## SECTION 605 ELECTRICAL EQUIPMENT

**605.1 Installation.** Electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and *approved* manner.

**605.2 Receptacles.** Every *habitable space* in a dwelling shall contain not less than two separate and remote receptacle outlets. Every laundry area shall contain not less than one grounding-type receptacle or a receptacle with a ground fault circuit interrupter. Every *bathroom* shall contain not less than one receptacle. Any new *bathroom* receptacle outlet shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.

**605.3 Luminaires.** Every public hall, interior stairway, *toilet room*, kitchen, *bathroom*, laundry room, boiler room and furnace room shall contain not less than one electric luminaire. Pool and spa luminaires over 15 V shall have ground fault circuit interrupter protection.

**605.4 Wiring.** Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings.

## SECTION 606 ELEVATORS, ESCALATORS AND DUMBWAITERS

**606.1 General.** Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A17.1. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumb-

waiter, be available for public inspection in the office of the building *operator* or be posted in a publicly conspicuous location *approved* by the *code official*. The inspection and tests shall be performed at not less than the periodic intervals listed in ASME A17.1, Appendix N, except where otherwise specified by the authority having jurisdiction.

**606.2 Elevators.** In buildings equipped with passenger elevators, not less than one elevator shall be maintained in operation at all times when the building is occupied.

**Exception:** Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

## SECTION 607 DUCT SYSTEMS

**607.1 General.** Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.



## CHAPTER 7

## FIRE SAFETY REQUIREMENTS

SECTION 701  
GENERAL

**701.1 Scope.** The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to structures and exterior *premises*, including fire safety facilities and equipment to be provided.

**701.2 Responsibility.** The *owner* of the *premises* shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as *owner-occupant* or permit another person to occupy any *premises* that do not comply with the requirements of this chapter.

SECTION 702  
MEANS OF EGRESS

**[F] 702.1 General.** A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the *public way*. Means of egress shall comply with the *International Fire Code*.

**[F] 702.2 Aisles.** The required width of aisles in accordance with the *International Fire Code* shall be unobstructed.

**[F] 702.3 Locked doors.** Means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the *International Building Code*.

**[F] 702.4 Emergency escape openings.** Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

SECTION 703  
FIRE-RESISTANCE RATINGS

**[F] 703.1 Fire-resistance-rated assemblies.** The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.

**[F] 703.2 Opening protectives.** Required opening protectives shall be maintained in an operative condition. Fire and smokestop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

SECTION 704  
FIRE PROTECTION SYSTEMS

**[F] 704.1 General.** Systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the *International Fire Code*.

**[F] 704.1.1 Automatic sprinkler systems.** Inspection, testing and maintenance of automatic sprinkler systems shall be in accordance with NFPA 25.

**[F] 704.1.2 Fire department connection.** Where the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an *approved* sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" not less than 6 inches (152 mm) high and words in letters not less than 2 inches (51 mm) high or an arrow to indicate the location. Such signs shall be subject to the approval of the fire code official.

**[F] 704.2 Single- and multiple-station smoke alarms.** Single- and multiple-station smoke alarms shall be installed in existing Group I-1 and R occupancies in accordance with Sections 704.2.1 through 704.2.3.

**[F] 704.2.1 Where required.** Existing Group I-1 and R occupancies shall be provided with single-station smoke alarms in accordance with Sections 704.2.1.1 through 704.2.1.4. Interconnection and power sources shall be in accordance with Sections 704.2.2 and 704.2.3.

**Exceptions:**

1. Where the code that was in effect at the time of construction required smoke alarms and smoke alarms complying with those requirements are already provided.
2. Where smoke alarms have been installed in occupancies and dwellings that were not required to have them at the time of construction, additional smoke alarms shall not be required provided that the existing smoke alarms comply with requirements that were in effect at the time of installation.
3. Where smoke detectors connected to a fire alarm system have been installed as a substitute for smoke alarms.

**[F] 704.2.1.1 Group R-1.** Single- or multiple-station smoke alarms shall be installed in all of the following locations in Group R-1:

1. In sleeping areas.
2. In every room in the path of the *means of egress* from the sleeping area to the door leading from the *sleeping unit*.

## FIRE SAFETY REQUIREMENTS

3. In each story within the *sleeping unit*, including basements. For *sleeping units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

[F] 704.2.1.2 Groups R-2, R-3, R-4 and I-1. Single- or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and I-1 regardless of *occupant load* at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a *dwelling unit*, including basements but not including crawl spaces and uninhabitable attics. In *dwelling units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

[F] 704.2.1.3 Installation near cooking appliances. Smoke alarms shall not be installed in the following locations unless this would prevent placement of a smoke alarm in a location required by Section 704.2.1.1 or 704.2.1.2.

1. Ionization smoke alarms shall not be installed less than 20 feet (6096 mm) horizontally from a permanently installed cooking appliance.
2. Ionization smoke alarms with an alarm-silencing switch shall not be installed less than 10 feet (3048 mm) horizontally from a permanently installed cooking appliance.
3. Photoelectric smoke alarms shall not be installed less than 6 feet (1829 mm) horizontally from a permanently installed cooking appliance.

[F] 704.2.1.4 Installation near bathrooms. Smoke alarms shall be installed not less than 3 feet (914 mm) horizontally from the door or opening of a bathroom that contains a bathtub or shower unless this would prevent placement of a smoke alarm required by Section 704.2.1.1 or 704.2.1.2.

[F] 704.2.2 Interconnection. Where more than one smoke alarm is required to be installed within an individual *dwelling* or *sleeping unit*, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

**Exceptions:**

1. Interconnection is not required in buildings that are not undergoing *alterations*, repairs or construction of any kind.

2. Smoke alarms in existing areas are not required to be interconnected where *alterations* or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for interconnection without the removal of interior finishes.

[F] 704.2.3 Power source. Single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for over-current protection.

**Exceptions:**

1. Smoke alarms are permitted to be solely battery operated in existing buildings where no construction is taking place.
2. Smoke alarms are permitted to be solely battery operated in buildings that are not served from a commercial power source.
3. Smoke alarms are permitted to be solely battery operated in existing areas of buildings undergoing *alterations* or repairs that do not result in the removal of interior walls or ceiling finishes exposing the structure, unless there is an attic, crawl space or *basement* available that could provide access for building wiring without the removal of interior finishes.

[F] 704.2.4 Smoke detection system. Smoke detectors listed in accordance with UL 268 and provided as part of the building's fire alarm system shall be an acceptable alternative to single- and multiple-station smoke alarms and shall comply with the following:

1. The fire alarm system shall comply with all applicable requirements in Section 907 of the *International Fire Code*.
2. Activation of a smoke detector in a dwelling or sleeping unit shall initiate alarm notification in the *dwelling* or *sleeping unit* in accordance with Section 907.5.2 of the *International Fire Code*.
3. Activation of a smoke detector in a *dwelling* or *sleeping unit* shall not activate alarm notification appliances outside of the *dwelling* or *sleeping unit*, provided that a supervisory signal is generated and monitored in accordance with Section 907.6.5 of the *International Fire Code*.

## CHAPTER 8

# REFERENCED STANDARDS

This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title and the section or sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section 102.7.

### ASME

American Society of Mechanical Engineers  
Three Park Avenue  
New York, NY 10016-5990

Standard reference number	Title	Referenced in code section number
ASME A17.1/CSA B44—2013	Safety Code for Elevators and Escalators. . . . .	606.1

### ASTM

ASTM International  
100 Barr Harbor Drive  
West Conshohocken, PA 19428-2959

Standard reference number	Title	Referenced in code section number
F 1346—91 (2010)	Performance Specifications for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs . . . . .	303.2

### ICC

International Code Council  
500 New Jersey Avenue, NW  
6th Floor  
Washington, DC 20001

Standard reference number	Title	Referenced in code section number
IBC—15	International Building Code® . . . . .	102.3, 201.3, 401.3, 702.3
IEBC—15	International Existing Building Code® . . . . .	305.1.1, 306.1.1
IFC—15	International Fire Code® . . . . .	201.3, 604.3.1.1, 604.3.2.1, 702.1, 702.2, 704.1, 704.2
IFGC—15	International Fuel Gas Code® . . . . .	102.3
IMC—15	International Mechanical Code® . . . . .	102.3, 201.3
IPC—15	International Plumbing Code® . . . . .	201.3, 505.1, 602.2, 602.3
IRC—15	International Residential Code® . . . . .	201.3
IZC—15	International Zoning Code® . . . . .	102.3, 201.3

### NFPA

National Fire Protection Association  
1 Batterymarch Park  
Quincy, MA 02269

Standard reference number	Title	Referenced in code section number
25—14	Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems . . . . .	704.1.1
70—14	National Electrical Code . . . . .	102.4, 201.3, 604.2



## APPENDIX A

# BOARDING STANDARD

*The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.*

### A101 GENERAL

**A101.1 General.** Windows and doors shall be boarded in an *approved* manner to prevent entry by unauthorized persons and shall be painted to correspond to the color of the existing structure.

with screws and nails alternating every 6 inches (152 mm) on center.

**A103.5 Doors.** Doors shall be secured by the same method as for windows or door openings. One door to the structure shall be available for authorized entry and shall be secured and locked in an *approved* manner.

### A102 MATERIALS

**A102.1 Boarding sheet material.** Boarding sheet material shall be minimum  $\frac{1}{2}$ -inch-thick (12.7 mm) wood structural panels complying with the *International Building Code*.

**A102.2 Boarding framing material.** Boarding framing material shall be minimum nominal 2-inch by 4-inch (51 mm by 102 mm) solid sawn lumber complying with the *International Building Code*.

**A102.3 Boarding fasteners.** Boarding fasteners shall be minimum  $\frac{3}{8}$ -inch-diameter (9.5 mm) carriage bolts of such a length as required to penetrate the assembly and as required to adequately attach the washers and nuts. Washers and nuts shall comply with the *International Building Code*.

### A104 REFERENCED STANDARD

IBC—12 International Building Code

A102.1,  
A102.2, A102.3

### A103 INSTALLATION

**A103.1 Boarding installation.** The boarding installation shall be in accordance with Figures A103.1(1) and A103.1(2) and Sections A103.2 through A103.5.

**A103.2 Boarding sheet material.** The boarding sheet material shall be cut to fit the door or window opening neatly or shall be cut to provide an equal overlap at the perimeter of the door or window.

**A103.3 Windows.** The window shall be opened to allow the carriage bolt to pass through or the window sash shall be removed and stored. The 2-inch by 4-inch (51 mm by 102 mm) strong back framing material shall be cut minimum 2 inches (51 mm) wider than the window opening and shall be placed on the inside of the window opening 6 inches (152 mm) minimum above the bottom and below the top of the window opening. The framing and boarding shall be pre-drilled. The assembly shall be aligned and the bolts, washers and nuts shall be installed and secured.

**A103.4 Door walls.** The door opening shall be framed with minimum 2-inch by 4-inch (51 mm by 102 mm) framing material secured at the entire perimeter and vertical members at a maximum of 24 inches (610 mm) on center. Blocking shall also be secured at a maximum of 48 inches (1219 mm) on center vertically. Boarding sheet material shall be secured

## APPENDIX A

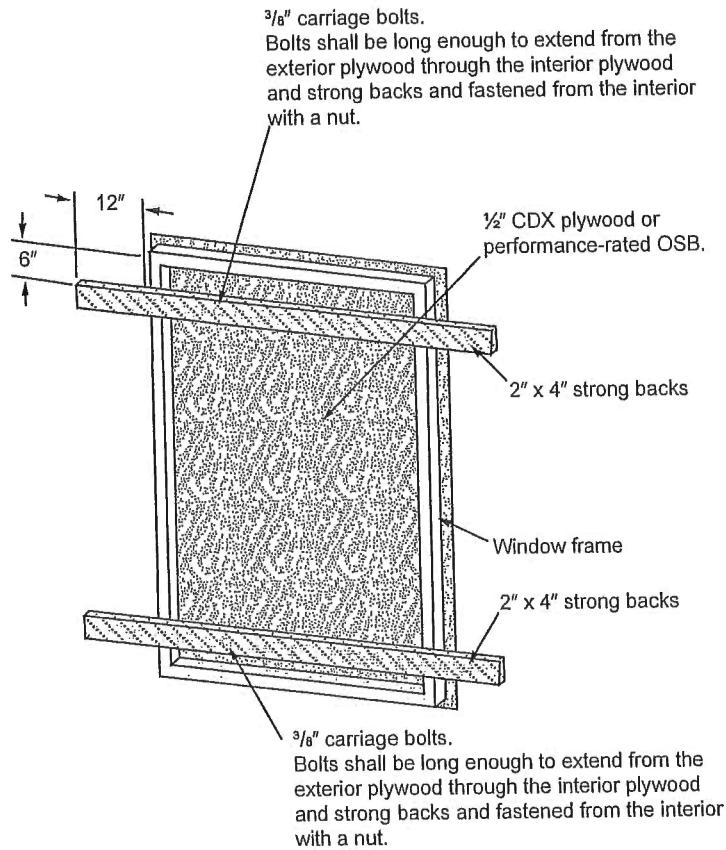


FIGURE A103.1(1)  
BOARDING OF DOOR OR WINDOW

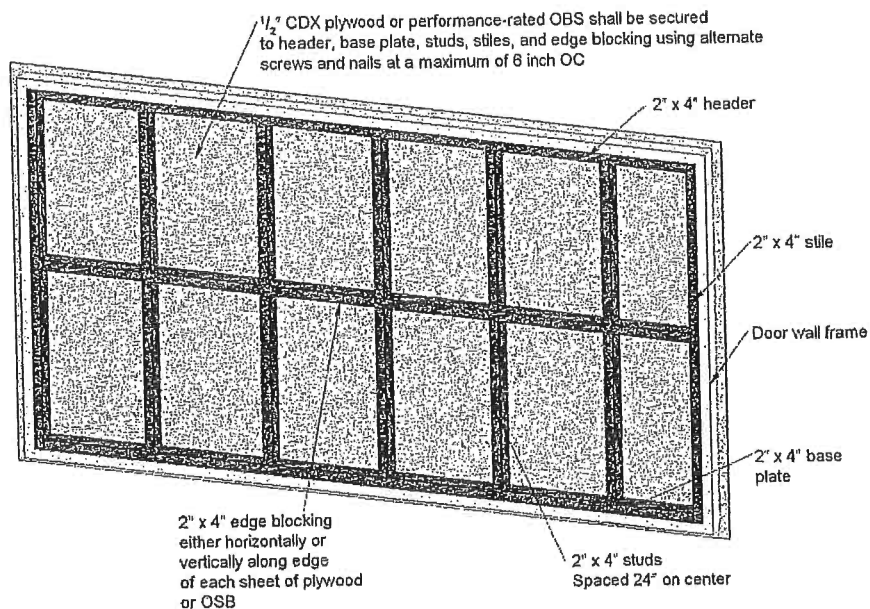


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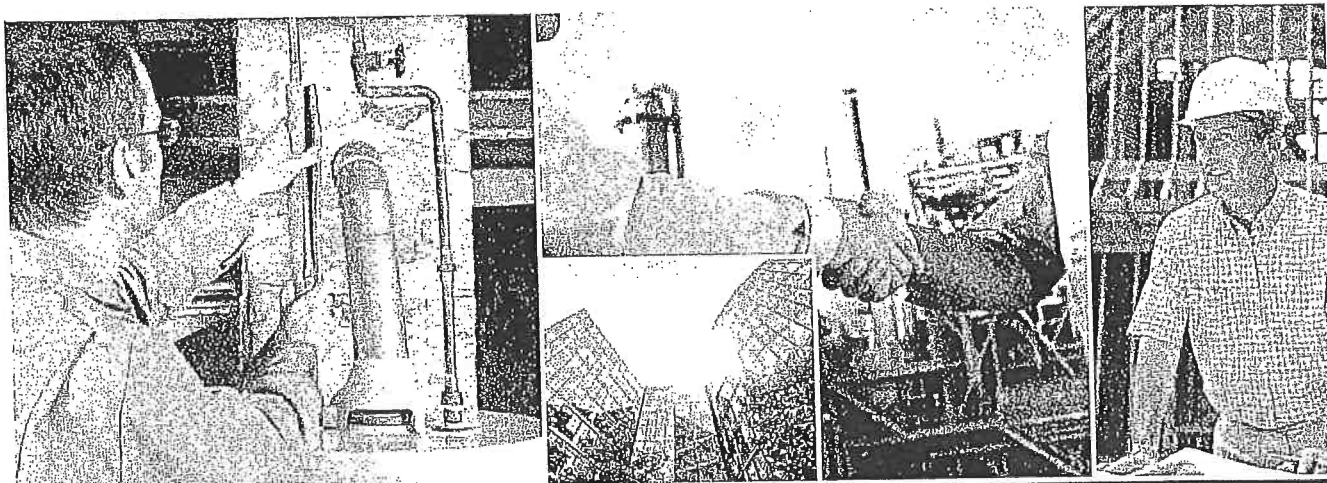
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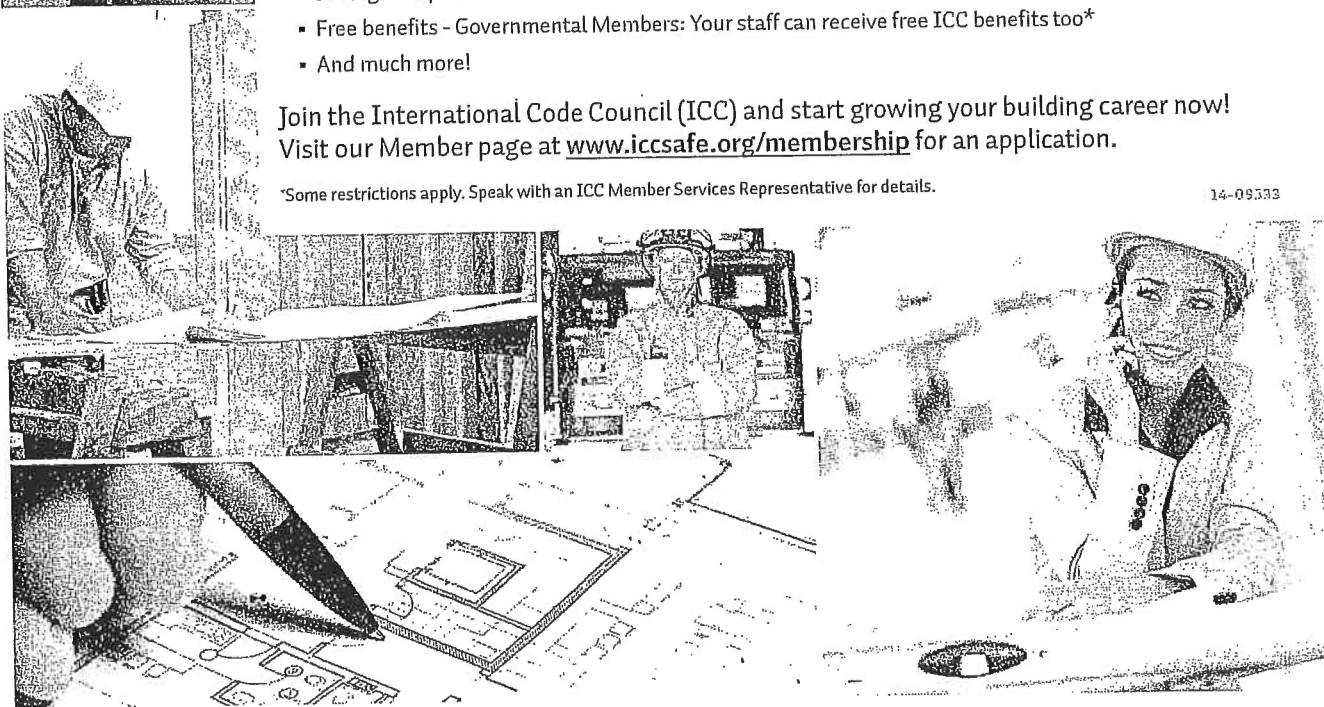
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## DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

September 10, 2019

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

RECEIVED  
SEP 10 2019

Dear Honorable Council Members:

OFFICE OF CITY  
COUNCIL/CITY CLERK

ATTACHED IS AN ORDINANCE REPEALING SECTION 1 OF FILE OF THE COUNCIL NO. 12, 2018 OF THE CITY OF SCRANTON AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH AND ADOPTING THE 2015 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS, AND STRUCTURES, BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE CITY OF SCRANTON; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR AND AMENDING SECTION 4 OF FILE OF THE COUNCIL NO. 64 OF 2014 TO REDUCE THE FEE TO FILE AN APPEAL WITH THE HOUSING BOARD OF APPEALS BASED UPON THE TYPE OF MATTER AT ISSUE AND TO PROMOTE RESOLUTIONS OF APPEALS BEFORE PROCEEDING TO HEARING.

Respectfully,

Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl

FILE OF THE COUNCIL NO. \_\_\_\_\_

AN ORDINANCE

2019

**AMENDING FILE OF THE COUNCIL NO. 64, 2014, AN ORDINANCE (AS AMENDED) ENTITLED "AN ORDINANCE ADOPTING THE QUALITY OF LIFE AND VIOLATIONS TICKET PROCESS IN THE CITY OF SCRANTON" TO BE AMENDED IN SECTION 3 BY DELETING NUMBERS 1 THROUGH 7, 20, 21, 25, 26, 28 AND 29 TO REMOVE VIOLATIONS AND IN SECTION 9 TO REDUCE FINES FOR CERTAIN VIOLATIONS AND IN SECTION 10 TO REDUCE THE AMOUNT OF CITATION FINES FOR VIOLATIONS.**

**WHEREAS**, the City of Scranton adopted File of the Council 64, 2014 to implement a Quality of Life Program to help combat blight and preserve the life, health, sanitation, safety, and aesthetic value for the City of Scranton and its residents and business owners; and

**WHEREAS**, certain Quality of Life violations are duplicative and ineffective in addressing the above goals; and

**WHEREAS**, the amount of fine and citation fees should be reduced to limit resulting appeals and litigation.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON** that File of the Council No. 64, 2014 An Ordinance (as Amended) be Amended to include the following new violations and fines and penalties to the Property Maintenance Rules and Regulations of the Quality of Life and Violations Ticket Process for the City of Scranton:

**SECTION 3.** Section 3, entitled Quality of Life Violations of File of the Council No. 64, 2014, (as Amended), is hereby amended and replaced in its entirety to read:

1. **Accumulation of Rubbish or Garbage.** All exterior property and premises, and the interior of every structure, shall be free from any accumulation of waste, trash, rubbish, or garbage.
2. **Animal Maintenance and Waste/Feces Clean-Up.** People owning, harboring, or keeping an animal within the City of Scranton shall not permit any waste matter/feces from the animal to collect and remain on the property so as to cause or create an unhealthy, unsanitary, dangerous, or offensive living condition. All waste from animals must be cleaned up on a daily basis.
3. **Disposal of Rubbish or Garbage/Dumping.** Improper disposal of rubbish or garbage, or dumping or disposing of rubbish or garbage on vacant, unoccupied, or other property.
4. **High Weeds, Grass or Plant Growth.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight (8) inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants, and vegetation. Cultivated flowers, gardens, trees, and shrubs shall not be included as a violation of this Part.
5. **Littering or Scattering Rubbish.** No person shall throw, dump, place, sweep, or dispose of any waste, trash, garbage, or rubbish upon any public sidewalk, alley, street, bridge, public passageway, public parking area, or on any public property.

6. **Motor Vehicles.** It shall be unlawful to store, park, or place any unregistered, uninspected, inoperative, unlicensed, or nuisance motor vehicle on any premises. No vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth
7. **Outside Placement of Indoor Appliances/Furniture.** It is prohibited to store or place any/all appliances or furniture including, but not limited to ranges, refrigerators, air conditioners, ovens, washers, dryers, microwaves, dishwashers, mattresses, recliners, sofas, interior chairs, or interior tables on the exterior of any property for the purpose of sale or any other reason, except for the temporary purpose to perform maintenance on said property. If maintenance is being performed, or if the items are actively being sold in a yard sale, the items shall not be left unattended.
8. **Ownership Presumption of Waste, Trash, and/or Recyclables for Illegal Dumping and Illegal Hauling.** It shall be the responsibility of every owner and/or occupant to dispose of their waste, trash, or recyclables in a proper manner. Any business or person who is unable to show proof that they have legally disposed of any waste, trash, or recyclables will be in violation of this Part. Should any person or business use an unlicensed hauler to dispose of their waste, trash, or recyclables, said person or business shall be in violation of this Part. Upon request of the Public Officer, any owner or occupant must show proof of their appropriate trash and/or recyclable hauler. Any parts found within a municipal waste container, recycling container, garbage bag, or loose trash/waste displaying the name and/or address of a person and/or persons, that trash or waste shall be presumed to be the property of such person and/or persons. It shall be unlawful for any person, business, partnership, or entity to remove or haul waste, trash, or recyclables without the proper approval or license. Any waste, trash, or recyclables found not to be disposed of in accordance with this Part will be a violation of this Part.
9. **Placement or Littering by Private Advertising Matter.** No person shall throw, place, sweep, or dispose of litter or private advertising matter upon any public sidewalk, alley, street, bridge, public passageway, public parking area, or any public property. No person, group, organization, or entity will hang, place, or advertise on any public property in any manner. No person, group, organization, or entity will hang, place, or advertise on any property that they do not have any ownership rights to without the written approval of said owner.
10. **Snow and Ice Removal from Sidewalks.** Every owner, tenant, occupant, lessee, property agent, or any other person who is responsible for any property within the City of Scranton, is required to remove any snow or ice from their sidewalk within twenty-four (24) hours of the cessation of said snow and ice falling. Furthermore, they must create a path, free from any snow or ice, of three (3) feet on said sidewalk. Should any property be a place of business within the City of Scranton, all snow and ice must be removed within four (4) hours of the cessation of said snow and ice falling. Any property that is deemed a business must have the entire sidewalk free from any snow and ice. If and/or when the snow and/or ice cessation happens during the hours of darkness, the time limit of removal of all snow and ice begins at daybreak.
11. **Storage Containers for Waste or Trash.** The owner of every premises shall supply approved containers for waste /trash, as well as be responsible for the removal of rubbish. All containers that store waste or trash shall be durable, water tight, and made of metal or plastic. Containers must have tight fitting covers, and must be kept clean and odor free at all times. All containers must be stored in the rear of every property so said containers are not visible from the public right-of-way. Waste/trash containers may only be placed in front of any property when darkness occurs the night before the day of the scheduled waste/trash pick -up day. Once the licensed hauler removes the waste/trash from any property, all containers must be returned to the rear of any property before daybreak on the day following

pick-up. (Example: Jim Smith's trash collection day is Wednesday. Jim Smith may place his trash containers out front of his property on Tuesday night, once night falls. Jim Smith must place his trash containers in the rear of his yard before daybreak, on Thursday morning.)

12. **Storing of Recyclables.** It shall be the responsibility of the owner of all residential, commercial, and industrial property to ensure storage, collection, and disposal of all recyclables from their property in such a manner not to create a public nuisance. Storage of recyclables is only allowed in approved containers, which must be kept clean and sanitary at all times.
13. **Shrubs and Bushes.** Bushes and shrubs on all premises and exterior property shall be maintained and kept in good order.
14. **Dangerous Trees.** Any tree that is considered dangerous and unsafe to the public by the office of Licensing, Inspections & Permits or the City Forester, due to overgrowth, instability, infestation, harmful insects or a dead tree.
15. **Commercial/Junk Vehicles in a Residential Area.** No commercial/junk vehicles shall be parked or stored in a residential district as defined in the City of Scranton Zoning Ordinance #74 of 1993.
16. **Defacement of Property.** No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.
  - It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

**SECTION 9. Fines and Penalties.** As amended, is hereby amended and replaced in its entirety to read:

- A. Any person who violates this Part shall pay a fine as set forth herein for each offense, plus all direct and indirect costs incurred by the City for the cleanup and abatement of the violation.

Violation	Description	Fine	Payment Due
QOL-001	Accumulation of rubbish or garbage	\$25.00	48 HOURS
QOL-002	Animal maintenance and waste/feces clean-up	\$25.00	48 HOURS
QOL-003	Disposal of rubbish or garbage. Dumping	\$25.00	48 HOURS
QOL-004	High weeds, grass or plant growth	\$25.00	48 HOURS
QOL-005	Littering or scattering rubbish	\$25.00	48 HOURS
QOL-006	Motor vehicles	\$25.00	48 HOURS
QOL-007	Outside placement of indoor appliances/furniture	\$25.00	48 HOURS
QOL-008	Ownership presumption of waste, trash and/or recyclables for illegal dumping and illegal hauling	\$25.00	48 HOURS
QOL-009	Placement of littering by private advertising matter	\$25.00	48 HOURS

QOL-010	Snow and ice removal from sidewalks	\$25.00	48 HOURS
QOL-011	Storage Containers for Waste or Trash	\$25.00	48 HOURS
QOL-012	Storing of recyclables	\$25.00	48 HOURS
QOL-013	Shrubs and Bushes	\$25.00	48 HOURS

QOL-014	Dangerous Trees	\$25.00	48 HOURS
QOL-015	Commercial/Junk Vehicles in a Residential Area	\$50.00	48 HOURS
QOL-016	Defacement of Property	\$25.00	48 HOURS

- B. Failure to remit payment within the time frame listed above, shall result in a late fee being imposed in the mount of ten (10%) percent of the ticket amount per day up to ten (10) days.
- C. Failure of the person to make payment within ten (10) days of the date of a violation ticket shall result in the filing of a citation, for failure to pay, with the Magisterial District Judge.
- D. If violations are continuous or egregious, Code Officials have the right to issue citations without first issuing tickets, provided notice has been given.

**SECTION 10.**      **Citation Fines.** is hereby amended and replaced in its entirety to read:

Any person, firm, or corporation who shall fail, neglect, or refuse to comply with any of the terms or provisions of this Part, or of any regulation or requirement pursuant hereto and authorized hereby shall, upon conviction before the Magisterial District Judge, be ordered to pay a fine of not less than one hundred fifty (\$150.00) dollars, and not more than one thousand (\$1,000.00) dollars on each offense, or imprisoned no more than ninety (90) days, or both.

**SECTION 11.**      **Restitution, Costs and Attorneys' Fees.**

The Magisterial District Judge may order the violator to make restitution where appropriate, to pay the City's costs of collection/citation proceedings, and to pay the City's reasonable Attorneys' Fees associated with the prosecution of the same.

**SECTION 12.**      **Severability.**

All relevant Ordinances, regulations, and policies of the City of Scranton, Pennsylvania not amended shall remain in full force and effect.

**SECTION 13.** Any Ordinance or part of an Ordinance conflicting with the provisions of this Ordinance shall be subordinate to this Ordinance to the extent of such conflict and the language contained in the Ordinance shall control.

**SECTION 14.** If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes & intent of this ordinance, & the effective administration thereof.

**SECTION 15.** This Ordinance shall be effective immediately upon approval.

**SECTION 16.** This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.



## DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

September 10, 2019

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

RECEIVED  
SEP 10 2019

OFFICE OF CITY  
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 64, 2014, AN ORDINANCE (AS AMENDED) ENTITLED "AN ORDINANCE ADOPTING THE QUALITY OF LIFE AND VIOLATIONS TICKET PROCESS IN THE CITY OF SCRANTON" TO BE AMENDED IN SECTION 3 BY DELETING NUMBERS 1 THROUGH 7, 20, 21, 25, 26, 28 AND 29 TO REMOVE VIOLATIONS AND IN SECTION 9 TO REDUCE FINES FOR CERTAIN VIOLATIONS AND IN SECTION 10 TO REDUCE THE AMOUNT OF CITATION FINES FOR VIOLATIONS.

Respectfully,

*Jessica Eskra (s)*  
Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl

FILE OF THE COUNCIL NO. \_\_\_\_\_

2019

**AN ORDINANCE**

**AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE A DEED OF EASEMENT AND RIGHT OF WAY BETWEEN THE CITY OF SCRANTON ("GRANTOR") AND LACE BUILDING AFFILIATES, LP ("GRANTEE") GRANTING TO LACE AFFILIATES, LP THE EASEMENT, RIGHT OF WAY AND RIGHTS AS ARE SET FORTH BELOW WITH RESPECT TO THE PROPERTY, WHICH DEED OF EASEMENT AND RIGHT OF WAY SHALL BE IN THE FORM AS ATTACHED HERETO AS EXHIBIT "A".**

**WHEREAS**, by Resolution 3, 2011, the City of Scranton provided assistance to Lace Building Affiliates, LP to address the blighting influence that exists due to the deteriorating condition of the Scranton Lace Complex located at 1415 MEylert Avenue, Scranton, Pennsylvania; and

**WHEREAS**, in furtherance of the project and to provide necessary parking, Lace Affiliates LP has requested an easement from the City on its parcel (Pin No.134.20-050-028); and

**WHEREAS**, for the easement, a copy of which is attached as Exhibit "A" that in consideration of the sum of One (\$1.00) Dollar, in hand and other good and valuable consideration, in hand paid, the receipt of whereof is hereby acknowledged, the City of Scranton wishes to hereby grant and convey to Lace Affiliated, LP, its successor and assigns, a permanent easement and right-of-way for ingress and egress only, over and through the following property as indicated:

All that certain access easement situated in the City of Scranton, Lackawanna County, Pennsylvania, said access easement being shown on a map entitle "Final Lot Consolidated Plan, Lace Building Affiliated, LP, Preliminary Land Development Plan for Lace Village", dated February 5, 2019, prepared by Borton-Lawson Engineering, as depicted in Exhibit "A"; and

**WHEREAS**, this easement would overlap with an existing easement to Pennsylvania American Water Company for a sewer main. However, PAWC consents to this easement pursuant to the conditions contained in its letter of June 25, 2019, a copy of which is attached as Exhibit "B".

**NOW, THEREFORE, BE IT ORDNANIED BY THE COUNCIL OF THE CITY OF SCRANTON** that the Mayor and other appropriate City officials are hereby authorized to execute a Deed of Easement and Right of Way by and between the City of Scranton and Lace Building Affiliates, LP granting to Lace Affiliates, LP the easement, right-of-way and rights as are set forth with respect to the property, which Deed of Easement and Right-of-Way are attached hereto as Exhibit "A".

**SECTION 1.** If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid

portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

**SECTION 2.** This Ordinance shall become effective immediately upon approval.

**SECTION 3.** This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law" and any other applicable law arising under the laws of the State of Pennsylvania.

# DEED OF EASEMENT

**THIS DEED OF EASEMENT** made this \_\_\_\_ day of \_\_\_\_\_, 2019,

**BETWEEN**, the City of Scranton, Scranton, Lackawanna County, Pennsylvania, hereinafter referred to as "**GRANTOR**"

A N D

Lace Building Affiliates, L.P., of the Lake Ariel, Lackawanna County, Pennsylvania, hereinafter referred to as "**GRANTEE**"

**WITNESSETH**, that in consideration of the sum of One (\$1.00) Dollar, in and other good and valuable consideration, in hand paid, the receipt whereof is hereby acknowledged; the **said GRANTOR** does hereby grant and covey to the **said GRANTEE**, its successor and assigns, a permanent easement and right-of-way for ingress and egress only, over and through the following property as indicated

ALL that certain access easement situated in the City of Scranton, Lackawanna County, Pennsylvania, said access easement being shown on a map entitled " Final Lot Consolidation Plan, Lace Building Affiliates, LP, Preliminary Land Development Plan for Lace Village", dated February 5, 2019, prepared by Borton-Lawson Engineering, said access easement being bounded and described as follows:

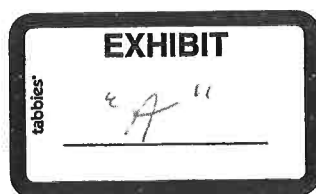
BEGINNING at a set iron pin as shown on the above referenced plan, said iron pin being at the southwesterly corner of lands of Lace Building Affiliates, LP;

THENCE North fifty-eight degrees, seven minutes, forty-two seconds West (N 58°07'42" W) twenty and fifteen hundredths (20.15) feet to a point;

THENCE North eight degrees, twenty-six minutes, thirty-three seconds East (N 08°26'33" E) one hundred two and ninety hundredths (102.90) feet to a point in line of lands of Lace Building Affiliates, LP;

THENCE along lands of Lace Building Affiliates, LP, South one degree, one minute, twenty seconds East (S 01°01'20" E) one hundred twelve and forty-five hundredths (112.45) feet to the POINT OF BEGINNING.

CONTAINING 951 Sq. Ft. +/-



BEING a portion of the parcel conveyed to the City of Scranton, recorded by deed dated October 31, 2006 recorded in the office of the Recorder of Deeds in and for the County of Lackawanna by Instrument No. 200631238.

UNDER AND SUBJECT to all other easements, covenants, exceptions, restrictions and reservations contained in prior deeds or instruments in the chain of title, including the permanent easement for Pennsylvania-American Water Company's facilities.

THE above described easement is intended to be used for ingress and egress only to the Grantees's adjoining property.

THE above described easement is more particularly shown on the attached plan entitled "Easement Plan" Lace Building Affiliates, L.P. Preliminary/Final Land Development Plan for Lace Village, attached hereto as Exhibit "A".

The purpose of this Deed of Easement is to convey to Grantee an easement to utilize a portion of the Grantor's lands in connection with ingress and egress to Grantee's adjoining property.

By acceptance and recording of this Deed of Easement, the Grantee agrees that the easement will be used for the sole purpose of ingress and egress to Grantee's adjoining property and for no other purpose.

By acceptance and recording of this Deed, the Grantee, for itself, its successors and assigns, agrees to and shall at all times save harmless and indemnify, and keep Grantor indemnified against and be responsible for all claim, demands, actions, suits or other legal proceedings by whomever made against the Grantor by reason of or arising out of the rights granted to Grantee pursuant to this Deed of Easement.

The Grantor hereby acknowledges and agrees that this permanent easement and right-of-way is perpetual, runs with the land; becomes part of title; and is automatically transferred from one owner to another as the land is sold.

The Grantor will warrant *Specially* said this Deed of Easement.

Pin No. 134.20-050-028

**IN WITNESS WHEREOF**, the **GRANTOR** has caused this easement and right-of-way to be duly executed by hereunto setting the necessary hands and seal the day and year first above written.

Signed, Sealed and Delivered  
in the presence of

ATTEST:

GRANTOR: CITY OF SCRANTON

By: \_\_\_\_\_  
Lori Reed, City Clerk

By: \_\_\_\_\_  
Wayne E. Evans, Mayor

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Roseann Novembrino, City Controller

Date: \_\_\_\_\_

Approved as to Form:

By: \_\_\_\_\_  
Jessica Eskra, City Solicitor

Date: \_\_\_\_\_

STATE OF PENNSYLVANIA :  
 : SS.  
 COUNTY OF LACKAWANNA :

On this the \_\_\_\_ day of \_\_\_\_\_, 2019, before me, a notary public, the undersigned officer, personally appeared Mayor William L. Courtright, Roseann Novembrino, Lori Reed, and Jessica Eskra, **GRANTOR** herein, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purpose therein contained.

**IN WITNESS WHEREOF**, I hereunto set my hand and official seal.

\_\_\_\_\_  
 Notary Public

I HEREBY CERTIFY that the precise residence of the GRANTEE is:

\_\_\_\_\_

\_\_\_\_\_  
 Attorney for Grantee



AMERICAN WATER

Jeremy Hull  
2500 Sanitary Dr  
Scranton, PA 18505  
P 570-614-3333  
Jeremy.Hull@amwater.com

June 25, 2019

Via Email

Lace Building Affiliates L.P.  
538 Spruce Street, Suite 618  
Scranton, PA 18503

Re: Lace Building Affiliates, L.P. easement granted from the City of Scranton

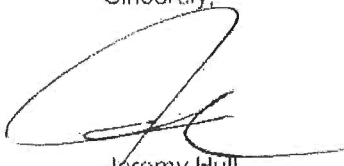
Dear Mr. Argot

Thank you for your letter dated June 14, 2019. It is our understanding that the Lace Building Affiliates, L.P. is requesting an easement from the City of Scranton for a parcel along the levee (Pin No 134.20-050-028), near the intersection of Glen Street and Albright Avenue in the City of Scranton. However, the lot with Pin No 134.20-050-028 contains an easement for a sewer main belonging to Pennsylvania-American Water Company.

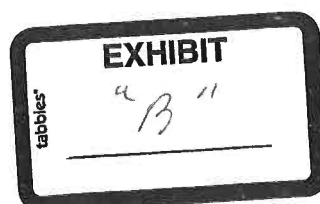
In your letter, you stated "Lace Building Affiliates, L.P. is accepting the easement "UNDER AND SUBJECT" to all other easements, covenants, exceptions, restrictions and reservations contained in prior deeds or instruments in the chain of title of the City's property, including Pennsylvania-American Water Company's. Lace Building Affiliates, L.P. warrants and represents that it will never erect nor permit to be erected a building structure of any nature whatsoever, not fill or excavate or plant trees within said permanent easement right-of-way without the Authority's (now Pennsylvania-American Water Company) written consent. Furthermore, Lace Building Affiliates, L.P. will not restrict the Pennsylvania-American Water Company access into the easement and/or its assets, including but not limited to manhole structures". After reviewing your letter, we find that the above statement is sufficient as long as the language in the deed referring to the permanent easement for Pennsylvania-American Water Company facilities remains.

If you have any questions or require additional information, please feel free to contact me anytime at 570-614-3333 or Jeremy.Hull@amwater.com.

Sincerely,



Jeremy Hull  
Sr. Superintendent Field Operations  
Pennsylvania-American Water Company – Scranton Wastewater




**DEPARTMENT OF LAW**

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

September 10, 2019

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

RECEIVED  
SEP 10 2019

Dear Honorable Council Members:

OFFICE OF CITY  
COUNCIL/CITY CLERK

ATTACHED IS AN ORDINANCE AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE A DEED OF EASEMENT AND RIGHT OF WAY BETWEEN THE CITY SCRANTON ("GRANTOR") AND LACE BUILDING AFFILIATES, LP ("GRANTEE") GRANTING TO LACE AFFILIATES, LP THE EASEMENT, RIGHT OF WAY AND RIGHTS AS ARE SET FORTH BELOW WITH RESPECT TO THE PROPERTY, WHICH DEED OF EASEMENT AND RIGHT OF WAY SHALL BE IN THE FORM AS ATTACHED HERETO AS EXHIBIT "A".

Respectfully,

*Jessica Eskra*  
Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl

## RESOLUTION NO. \_\_\_\_\_

2019

**APPOINTMENT OF ROBERT J. MORRIS, 648 WALES STREET, SCRANTON, PENNSYLVANIA, 18508 AS A MEMBER OF THE BOARD OF ZONING APPEALS FOR THE CITY OF SCRANTON. MR. MORRIS WILL REPLACE ROBERT J. PALMITESSA WHOSE TERM EXPIRED ON JULY 15, 2019. MR. MORRIS' TERM WILL COMMENCE IMMEDIATELY AND EXPIRE ON JULY 14, 2024.**

WHEREAS, Robert J. Palmitessa served as a member of the City of Scranton Board of Zoning Appeals appointed by Resolution No. 130, 2017; and

WHEREAS, Robert J. Palmitessa's expired term creates a vacancy on the Board of Zoning Appeals; and

WHEREAS, the Council of the City of Scranton desires to fill that vacancy with the appointment of Robert J. Morris, who is currently serving on the Board as Alternate No. 2 member; appointed by Resolution No. 68, 2018, to the Board of Zoning Appeals for the City of Scranton to a five (5) year term.

**NOW, THEREFORE, BE IT RESOLVED BY SCRANTON CITY COUNCIL**  
**THAT** Robert J. Morris, 648 Wales Street, Scranton, Pennsylvania, 18508 is hereby appointed as a member to the City of Scranton's Zoning Board of Appeals with said term to commence immediately and expire on July 14, 2024.

**SECTION 1.** If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Resolution and the effective administration thereof.

SECTION 2. This Resolution shall become effective immediately upon approval.

SECTION 3. This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.

## RESOLUTION NO. \_\_\_\_\_

2019

RATIFYING AND APPROVING OF THE EXECUTION AND SUBMISSION OF THE GRANT APPLICATION BY THE CITY OF SCRANTON, ON BEHALF OF THE HUMAN SERVICES ALLIANCE, TO THE COMMONWEALTH OF PENNSYLVANIA ACTING THROUGH THE COMMONWEALTH FINANCING AUTHORITY FOR A LOCAL SHARE ACCOUNT GRANT, PURSUANT TO THE PA RACE HORSE DEVELOPMENT AND GAMING ACT IN THE AMOUNT OF \$350,000.00 FOR THE PROJECT TO BE KNOWN AS " HUMAN SERVICES ALLIANCE - A BUILDING AND GROUNDS IMPROVEMENT PROJECT" LOCATED AT 1509 MAPLE STREET, 823 JEFFERSON AVENUE, 841 JEFFERSON AVENUE, AND THE CORNER OF MYRTLE AND MADISON AVENUE, SCRANTON, PENNSYLVANIA, AND AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS OF THE CITY OF SCRANTON, PA, TO ACCEPT THE GRANT, IF SUCCESSFUL, AND EXECUTE AND ENTER INTO A LOCAL SHARE ACCOUNT GRANT CONTRACT AND COMMITMENT LETTER WITH THE COMMONWEALTH OF PENNSYLVANIA TO ACCEPT AND UTILIZE THE GRANT IN THE AMOUNT OF \$350,000.00 AWARDED BY THE COMMONWEALTH OF PENNSYLVANIA FOR SUCH PROJECT.

WHEREAS, the City of Scranton, through the Office of Economic and Community Development, will submit a grant application on behalf of the Human Services Alliance to the Commonwealth of Pennsylvania ("the Commonwealth") acting through the Commonwealth Financing Authority (the "Grantor") for a Local Share Account Grant, pursuant to the PA Race Horse Development and Gaming Act, for renovation of existing office space and construction of a new parking lot ("Project") located at 1509 Maple Street, 823 Jefferson Avenue, 841 Jefferson Avenue, and the Corner of Myrtle and Madison Avenue, Scranton, Pennsylvania. A copy of such "Project" details is attached hereto as Exhibit "A" and incorporated herein as if set forth at length; and

WHEREAS, the City of Scranton intends herein to ratify and approve the execution and submission of the Grant Application; and

WHEREAS, the Commonwealth of Pennsylvania will review the Grant Application for funding for the Local Share Account Grant in the amount of \$350,000.00 ("Grant") for the "Project"; and

WHEREAS, if the Grant Application is approved, the City of Scranton intends herein to authorize the execution of the Local Share Account Grant Contract and Commitment Letter, and the acceptance, disbursement, and utilization of the Grant for the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SCRANTON that the execution and submission of the "Grant" Application is hereby ratified and if approved, the Mayor and other appropriate City Officials are hereby authorized to enter into and execute and submit any additional related paperwork for this "Grant", and if successful, to accept the grant funds to be used for the "Project" as attached hereto. This approval anticipates and authorizes the execution of any and all related documentation necessary for the "Grant" or to accept, disburse, and utilize the "Grant" for the "Project."

**SECTION 1.** If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decisions shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

**SECTION 2.** This Ordinance shall become effective immediately upon approval.

**SECTION 3.** This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of the Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.



September 18, 2019

*Via Hand Delivery*  
Jessica Eskra, Esquire  
340 North Washington Avenue  
4<sup>th</sup> Fl., Law Department  
Scranton, PA 18503

**Re: Resolution**  
**City of Scranton, OECD on behalf of Human Services Alliance – A Building and**  
**Grounds Improvement Project**  
**LSA Grant Application**

Dear Attorney Eskra:

The City of Scranton, specifically OECD, is requesting approval to submit a LSA Grant application on behalf of the Human Services Alliance for their building and grounds improvement project.

OECD is requesting that you review the attached Resolution and submit it to City Council for approval.

Please do not hesitate to contact me if you should need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary-Pat Ward".

Mary-Pat Ward  
Executive Director

/mpw

## INTRODUCTION:

The City of Scranton in partnership with the Human Services Alliance and its non-profit sponsored corporations, Friendship House and the Advocacy alliance is proposing a Building and Grounds Improvement Project for this 2019 Monroe County Local Share Grant Program. Through this grant the partnership is seeking funding to support a Building and Grounds Improvement Project focused on the following components:

- Renovation of existing office space
- Construction of a new parking lot

## PROJECT DETAILS:

### Project Locations:

The Building and Grounds Improvement Project involves the following locations:

- Site 1 - 1509 Maple Street Scranton, PA.
- Site 2 - 823 Jefferson Avenue Scranton, PA
- Site 3 - 841 Jefferson Avenue Scranton, PA
- Site 4 - Corner of Myrtle and Madison Avenue Scranton, PA

### Project Description:

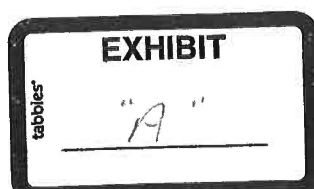
Below is a brief description of the work to be completed at each project site.

- Site 1 - Renovation includes converting the existing outpatient clinic to office space for Community Services and Healthcare Quality Unit
- Site 2 - Renovation includes conversion of office space to a new outpatient clinic with reconfiguration of the 1st, 2nd and 3rd floor and a new elevator.
- Site 3 - Renovation includes refinishing offices and minor reconfiguration on the 2nd and 3rd floors
- Site 4 - Construction of a new parking lot for (20) spaces including landscaping.

### Total Project Cost and Funding Sources:

<b>Total Project Cost:</b>	<b>\$1,424,209</b>
<b>Total LSA Grant Request:</b>	<b>\$ 350,000</b>
<b>Total Local Match:</b>	<b>\$1,074.209</b>

The Human Services Alliance on behalf of its non-profit sponsored corporations will be providing the local match identified above.



# HUMAN SERVICES ALLIANCE BUILDING AND GROUNDS IMPROVEMENT PROJECT

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## **INTRODUCTION:**

The City of Scranton in partnership with the Human Services Alliance and its non-profit sponsored corporations, Friendship House and the Advocacy alliance is proposing a Building and Grounds Improvement Project for this 2019 Monroe County Local Share Grant Program. Through this grant the partnership is seeking funding to support a Building and Grounds Improvement Project focused on the following components:

- Renovation of existing office space
- Construction of a new parking lot

## **COMMUNITY DEMOGRAPHICS:**

### **City of Scranton:**

As of the 2010 census, there were 76,089 people, 30,069 households, and 18,124 families residing in the City of Scranton. The population density was 3,006/mi<sup>2</sup>. There were 33,853 housing units at an average density of 1,342/mi<sup>2</sup>. The racial makeup of the city was 84.11% White, 5.45% African American, 0.23% Native American, 2.98% Asian, 0.04% Pacific Islander, 4.69% from other races, and 2.49% from two or more races. Hispanic or Latino of any race make up 9.90% of the population.

There were 30,069 households out of which 24.4% had children under the age of 18 living with them, 39.8% were married couples living together, 13.8% had a female householder with no husband present, and 42.1% were non-families. The city had 36.7% of its households with single occupancy and 18.1% whose individuals was aged at least 65. The average household size was 2.29 and the average family size was 3.01.

The age distribution of the population included 20.8% under 18, 12.3% from 18 to 24, 25.5% from 25 to 44, 21.2% from 45 to 64, and 20.1% at least 65. The median age was 39. For every 100 females, there were 87.0 males. For every 100 females aged at least 18, there were 83.0 males.

The median income for a household in the City of Scranton was \$28,805, and the median income for a family was \$41,642. Males had a median income of \$30,829 versus \$21,858 for females. The per capita income for the city was \$16,174. Found below the poverty line are 15.0% of the population, 10.7% of families, 18.9% of those under age 18 and 12.0% of those at least age 65.

As of the 2006 American Community Survey, the average family size is 2.95. Of the population that's 25 years old and over, 83.3% of them have graduated from high school. 18.7% of them have a Bachelor's degree or higher. In labor force (population 16 years and over), 57.6% of them work. The per capita income (in 2006 inflation-adjusted dollars) is \$17,187.

# HUMAN SERVICES ALLIANCE BUILDING AND GROUNDS IMPROVEMENT PROJECT

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## COMMUNITY PARTNERS:

**The Human Services Alliance and its non-profit sponsored corporations – description of services:**

### Human Services Alliance

Human Services Alliance is to serve as the corporate member of the Sponsored Corporations (The Advocacy Alliance and Friendship House) to guide and assist those entities in fulfilling their respective purposes; to foster collaboration between those entities to achieve both effective programs and services as well as economies of scale; and to take any and all other action as the Board of Directors may deem necessary or desirable to implement the Memoranda of Understanding and Operating Agreements pertaining to such Sponsored Corporations, all of which shall be performed by the Corporation pursuant to its Articles of Incorporation and its Bylaws.

It is the goal of Human Services Alliance to serve as the corporate member of additional Sponsored Corporations in future years to accomplish the purpose listed above.

### Advocacy Alliance

The mission of the Advocacy Alliance is to promote mental well-being, and support Recovery for adults who have a mental illness; Resiliency for children and adolescents who have emotional/behavioral disorders; Everyday Lives for individuals who have developmental disabilities; and Independence for older adults and individuals with physical disabilities, by providing advocacy and culturally competent services.

Listed below is a listing of programs and services provided by the Advocacy Alliance:

#### ✓ Advocacy

- Adult Mental Health Advocacy
- Child and Family Mental Health Advocacy

#### ✓ Community Developmental Disabilities Services

- Health Care Quality Units
- Incident Management
- Independent Monitoring for Quality (IM4Q)
- Quality Assurance Services

#### ✓ Community Mental Health Services

- Support Groups
  - Depression and Bipolar Support Group

## HUMAN SERVICES ALLIANCE BUILDING AND GROUNDS IMPROVEMENT PROJECT

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- Peer to Peer Services
- Community Support Program
- Recovery Center
  
- ✓ **Court Appointed Special Advocate (CASA)**
- ✓ **Consumer/Family Satisfaction Teams**
- ✓ **Consumer Financial Management Services**
  - Representative Payee Services
  - Guardianship Services
  - Trust Services
  
- ✓ **Early Intervention Evaluation Teams**
- ✓ **WARM LINES**

### Friendship House

Friendship House is a human services agency dedicated to providing individualized mental health and behavioral health services that promote recovery and maximizes the physical, emotional, behavioral and social well-being of the children, adolescents and adults. Listed below is a brief description of the services (including target population groups) provided by Friendship House.

- ✓ **Outpatient Mental Health** - Friendship House Outpatient therapists provide counseling at our offices to children and their families and adults in order to help resolve emotional and behavioral issues and family conflict. Mental Health Community Based Outpatient Clinic services are provided in Scranton and Mayfield in Lackawanna County and Honesdale, Wayne County. The Outpatient Clinic in Scranton serves more than seven hundred (700) children and adolescents annually, the Mayfield Clinic serves more than 800 children and 600 adults annually and the Honesdale clinic serves more than 100 children annually.
- ✓ **Community/School Based Behavioral Health** - The CSBBH Team Program is a mental health program designed for youth ages 5 to 13 years who are experiencing social, emotional, and or behavioral difficulties that impair their ability to function in school and other settings. These services are provided within four (4) schools within the Scranton School District and one (1) school within the Carbondale Area School District, one (1) school in the Blue Ridge School District, two (2) schools in the Montrose Area School District, one (1) school on the Forest City Regional School District, five (5) schools within the Williamsport Area School District, one (1) school in the Sullivan County School District and one (1) school in the Canton Area School District. Annually, this program serves more than five-hundred (500) children and families.
- ✓ **Early Head Start Program** - Early Head Start services located in Scranton and provides a nurturing, supportive environment for young children to grow in every aspect of their social, emotional, cognitive and physical development. Annually, Friendship House serves more than twenty-five (25) children in the program.

## HUMAN SERVICES ALLIANCE BUILDING AND GROUNDS IMPROVEMENT PROJECT

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- ✓ **Autism Services (Early Intensive Behavioral Intervention (EIBI))** - The Center's Early Intensive Behavioral Intervention (EIBI) program is a center-based program in Scranton for children ages 2 to 6. The focus of this program is to teach basic learning and language skills and adaptive behaviors across the domains of communication, socialization, and daily living skills. The program immerses children in a social and language rich environment where children are able to generalize acquired skills to the natural environment. Annually, this program serves approximately 40 children.

In addition, Friendship House provides community-based support services to children and youth with autism in school, community and home settings. Friendship House serves approximately sixty (60) children in this program annually.

- ✓ **Residential Services** – Friendship House provides residential services to males ages 10-18 in Schuylkill County. This program serves approximately sixteen (16) adolescents annually.
- ✓ **Foster Care and Adoption Services** - Foster Family Care is to provide healthy and supportive homes for children in need, from birth to age 18. Friendship House's foster care program recruits, trains, approves and supports families to provide temporary, substitute care for children in need due to abuse, neglect, deprivation, abandonment and/or a guardian's inability to care for a child.

The children are referred through county children and youth agencies. Adoption Services Friendship House's Adoption Program recruits families to provide permanent adoptive homes to foster children who are unable to be reunified with their birth family. These services are offered in Scranton, Pottstown and Philadelphia. Friendship House provides foster care and adoption serves to more than one-hundred (100) children annually.

- ✓ **Blended Case Management (BCM) Services for Children and Adults** – BCM services are case management services provided to both children and adults. These services link individuals to various clinical and supportive services within the community. Friendship House serves more than three hundred and fifty (350) children and one-hundred (100) adults annually.
- ✓ **Family Based Mental Health (FBMH) Services for Children and Families** – FBMH services are individual or team delivered services to children and their families in the community and home settings. It is an intensive clinically based service. Presently, Friendship House serves approximately twenty-four (24) children and their families annually.
- ✓ **School Based Partial Hospitalization Services for Children** – School Based Partial Hospitalization Services are a classroom based service within a school staffed with two therapists, a teacher and an aid. The program provides individual and group therapy in an educational setting. In addition, medication management services are provided to students who need this service and are enrolled in the program.

## HUMAN SERVICES ALLIANCE BUILDING AND GROUNDS IMPROVEMENT PROJECT

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- ✓ **Psychiatric Rehabilitation Services for Adults** – Psychiatric Rehabilitation Services are provided to adults with mental illness in a community based setting. The program promotes daily living skill development, socialization and recovery. Presently, Friendship House serves approximately forty (40) individuals annually.

### APPLICANT EXPERIENCE:

This Building and Grounds Improvement Project as stated earlier within this grant application will involve two (2) primary components listed below:

- Renovation of existing office space
- Construction of a new parking lot

### City of Scranton

The City of Scranton, Lackawanna county has extensive experience in securing, managing and implementing Federal and State grants. The City of Scranton through its Office of Community and Economic Development (OCED) will work closely with the Human Services Alliance and its non-profit sponsored agencies, Friendship House and the Advocacy Alliance to fulfill all grant requirements including project bidding, construction management and project administration

### Human Services Alliance and its non-profit sponsored agencies, Friendship House and the Advocacy Alliance

The Human Services Alliance and its non-profit sponsored corporations have worked closely with various engineering/design firms in the past to develop, design and implement a number of high quality building construction projects in the past on the agencies campuses in Scranton, PA.

The Human Services Alliance and its non-profit sponsored corporations has the experience as a community partner with the City of Scranton to select an engineering/professional design firm and contractor meeting all City of Scranton bidding protocols.

### PROJECT DETAILS:

#### Project Locations:

The Building and Grounds Improvement Project involves the following locations:

- Site 1 - 1509 Maple Street Scranton, PA.
- Site 2 - 823 Jefferson Avenue Scranton, PA
- Site 3 – 841 Jefferson Avenue Scranton, PA
- Site 4 – Corner of Myrtle and Madison Avenue Scranton, PA

## HUMAN SERVICES ALLIANCE BUILDING AND GROUNDS IMPROVEMENT PROJECT

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### **Project Description:**

Below is a brief description of the work to be completed at each project site.

- Site 1 - Renovation includes converting the existing outpatient clinic to office space for Community Services and Healthcare Quality Unit
- Site 2 - Renovation includes conversion of office space to a new outpatient clinic with reconfiguration of the 1st, 2nd and 3rd floor and a new elevator.
- Site 3 - Renovation includes refinishing offices and minor reconfiguration on the 2nd and 3rd floors
- Site 4 - Construction of a new parking lot for (20) spaces including landscaping.

### **HISTORIC AND PROPOSED USE OF THE PROJECT SITES:**

Site 1 – 1509 Maple Street Scranton, PA is the present location of Friendship House. The proposed project at this site location is exclusively office renovations. The use will be modified from primarily an outpatient clinic to administrative offices.

Site 2 – 823 Jefferson Avenue Scranton, PA is presently one of the Advocacy Alliance program locations. The proposed project at this site location is exclusively office renovations. The use will be modified from administrative office space to an outpatient clinic.

Site 3 – 841 Jefferson Avenue Scranton, PA is presently one of the Advocacy Alliance program locations. The proposed project at this site location is exclusively office renovations. The use of this project location will remain as administrative office space.

Site 4 – Corner of Myrtle and Madison Avenue Scranton, PA is presently a vacant lot. This project location will be used as a parking lot.

### **CONSISTENCY WITH LOCAL PLANNING AND ZONING:**

The Human Services Alliance and its non-profit sponsored corporations, Friendship House and the Advocacy Alliance reached out to the City of Scranton Planning Office to discuss the project and secure their review and support of the project. Although the project is not one that will present any zoning issues since the existing site has zoning approval and much of the project involves renovation work internal within the agency, the City Planning Office has provided a letter of support for the project. *A Letter of support from the City Planning Office is included within this grant application.*

## HUMAN SERVICES ALLIANCE BUILDING AND GROUNDS IMPROVEMENT PROJECT

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### **PRIORITY PROJECT/ANTICIPATED EMPLOYMENT, INVESTMENT AND COMMUNITY IMPACT:**

The Human Services Alliance and its non-profit sponsored corporations is partnering with the City of Scranton on the preparation and submission of this 2019 Monroe County Local Share Grant application to complete a Building and Grounds Improvement Project.

Specifically, project sites 1-3 will include office renovation including general construction, HVAC (new distribution), new electrical and plumbing. Project site 4 will include the construction of a new parking lot parking lot to expand parking by twenty (20) new spaces. Specifically, the project will include excavation and grading on the backside of the existing parking lot, finish grade and restoration of the parking lot bank, drainage and stormwater management, planting of new trees and landscaping, paving and line painting.

The total project cost is estimated at \$1,424,209.00. The total grant request is \$350,000.00. The Human Services Alliance on behalf of its non-profit sponsored corporations are providing a local match in the amount of \$1,074,209.00 to support this critical community project.

The Friendship House Building and Grounds Improvement Project will initially involve the influx of \$1,424,209.00 to be used to support the completion of this critical community project. As detailed within the engineering cost estimate for this project the dollars secured for this project will be used to renovate existing space and construct a new a new parking lot.

The \$1,424,209.00 will create employment opportunities for local contracts who are selected to complete the various phases of the project. The initial economic impact, \$129,473.00 will be used to hire of a local engineering and design firm to complete final cost estimates, final design, bid document preparation, conduct the project bidding process and construction management services. The remaining dollars will be used for materials and construction cost.

Once this Building and Grounds Improvement Project is completed the Human Services Alliance and its non-profit sponsored corporations anticipates the hiring of an additional staff to work in the newly development outpatient clinic location at 823 Jefferson Avenue Scranton, PA as well as the possible expansion of additional administrative staff positions to work at the 1509 Maple Street Scranton location.

**CITY OF SCRANTON, LACKAWANNA COUNTY  
PENNSYLVANIA**

**AND**

**HUMAN SERVICES ALLIANCE**

**BUILDING AND GROUNDS IMPROVEMENT PROJECT  
PROJECT TIMELINE AND KEY MILESTONE DATES**

**EXHIBIT 2**

Date	Building and Grounds Improvement Project Activities	Responsible Parties
July 2019	Human Services Alliance reviewed LSA Grant guidelines for project consistency	Human Services Alliance
August 2019	Human Services Alliance reviewed the project with the City of Scranton as the sponsor agency for the LSA Grant application	Human Services Alliance City of Scranton
September 2019	Human Services Alliance secured cost estimates for the project.	Human Services Alliance Design Professional
September 2019	Human Services Alliance in partnership with the City of Scranton initiated the preparation of the Monroe County LSA for 2019	Human Services Alliance
September 2019	Human Services Alliance agreed to provide a financial commitment for the project	Human Services Alliance Board of Directors
September 2019	Human Services Alliance secured a letter of review and support from the City of Scranton Planning Office	Human Services Alliance City of Scranton Planning Office
September 2019	Human Services Alliance secured a resolution from the City of Scranton authorizing the submission of the Monroe County LSA Grant	Human Services Alliance City of Scranton
September 2019	Human Services Alliance in cooperation with the City of Scranton submits the Monroe County LSA for 2019	Human Services Alliance City of Scranton
March 2020	PA Department of Community and Economic Development announcement of funding award	PA DCED
May 2020	Contract between City of Scranton (grantee) and DCED signed and finalized	PA DCED City of Scranton
June 2020	Human Services Alliance using the City of Scranton contracting and bidding protocols issues a request for Proposal to select an engineering/design firm	Human Services Alliance City of Scranton
August 2020	Human Services Alliance selects an engineering/design firm for the project	Human Services Alliance Board of Directors
October 2020	Final project design completed for all phases of the project.	Human Services Alliance Board of Directors Engineering/design firm
November 2020	Project components are bid formally through a public bid process	Human Services Alliance Board of Directors Engineering/design firm
January 2021	Project bid awards made	Human Services Alliance Board of Directors Engineering/design firm
March 2021	Construction initiated	Contractor Engineering/design firm
June 2021	Interior building construction/renovation work completed	Contractor Engineering/design firm
August 2021	Parking lot expansion completed	Contractor Engineering/design firm
October 2021	Project closeout completed	Human Services Alliance Board of Directors and City of Scranton

## CITY OF SCRANTON, LACKAWANNA COUNTY

## PENNSYLVANIA

## AND

## THE HUMAN SERVICES ALLIANCE

## “A Building and Grounds Improvement Project”

## Program Budget and Funding Partners

## Exhibit 3

Project Budget Category	Monroe County Local Share Funding	Human Services Alliance	Total Cost
General Construction			
• Renovation	\$350,000.00	\$792,362.20	\$1,142,362.20
Subtotal General Construction	\$350,000.00	\$792,362.20	\$1,142,362.20
Infrastructure/Site Preparation			
• Parking	\$0	\$90,720.00	\$90,720.00
Subtotal Infrastructure/Site Preparation	\$0	\$90,720.00	\$90,720.00
Related Cost			
• Engineering	\$0	\$129,473.63	\$129,473.63
• Contingency Cost	\$0	\$ 61,654.11	\$ 61,654.11
Subtotal Related Cost	\$0	\$191,127.74	\$191,127.74
Total Cost	\$350,000.00	\$1,074,209.90	\$1,424,209.94

## General Construction / Infrastructure/Site Preparation

The Project Budget summary as presented above was developed by in consultation with Mr. Brian D. Doran, AIA LEED BD+C, Hemmler+Camayd Architects, a local professional design firm specializing in renovation and new construction projects.. Specifically, the *General Construction (New Construction and Renovation) Budget Cost Centers* includes the cost associated with the purchase of materials and labor to renovate existing office space. The

*Infrastructure/Site Preparation (Parking) Budget Cost Center* includes the cost associated with the purchase of materials and the labor to construction a new parking lot. A detailed description of the construction aspects of this component of the project is included within the design professional's estimate which is included within this grant application.

Related Cost:

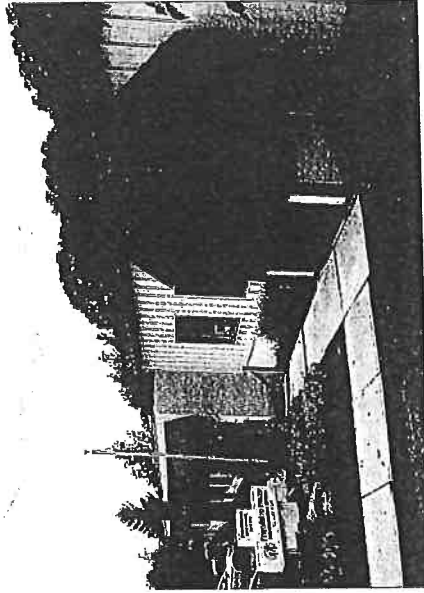
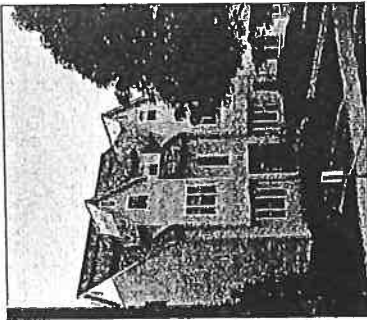
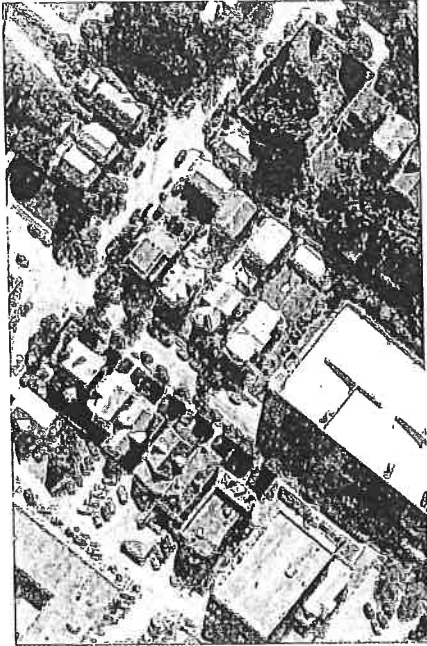
*Engineering services* provided for this project will include but is not limited to the following:

1. Development of construction plans, specifications, bid documents and final cost estimates
2. Project administration, construction administration and project inspections

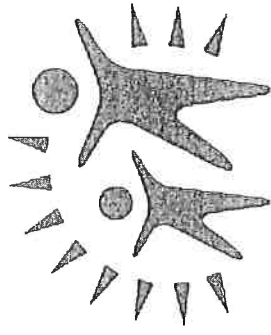
Contingency Cost – Contingency cost represents 5% of the total construction cost of the project. This line item will be used to cover cost overruns for the project.

*A summary of engineering/design services is included within this grant application.*

*This Project will be publically bid based on the City of Scranton procurement procedures.*



the Advocacy  
Alliance



Friendship  
House

PROPOSED RENOVATIONS FOR THE ADVOCACY ALLIANCE  
AND FRIENDSHIP HOUSE

SEPTEMBER 9, 2019

SCRANTON, PA

hemmler + camayd architects



ADVOCACY ALLIANCE/FRIENDSHIP HOUSE  
PROPOSED RENOVATIONS  
hemmler + camayd architects

2

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- PRELIMINARY PROGRAM
- PROPOSED SCHEMES
  - ADVOCACY ALLIANCE 823 JEFFERSON
  - ADVOCACY ALLIANCE 841 JEFFERSON
  - FRIENDSHIP HOUSE 1509 MAPLE
  - ADVOCACY ALLIANCE PARKING MYRTLE & MADISON
- ORDER OF MAGNITUDE BUDGET



# PRELIMINARY PROGRAM



 **ADVOCACY ALLIANCE/FRIENDSHIP HOUSE  
PROPOSED RENOVATIONS**  
hemmler + camayd architects

PRELIMINARY PROGRAM

A. THE ALLIANCE ADVOCACY - 823 Jefferson Ave.			
SPACE			COMMENTS
Outpatient			
1 Waiting - Children			25 Seats
2 Waiting - Adult			10-15 Seats
3 Check In / Out			
4 BWL			Adjacent to Check In / Out
5 Unisex restroom			Adjacent to Waiting rooms, Check in / out
6 Admin. Office - 1			
7 Admin. Office - 2			
8 Conference Room - 1			6-8 seats, location pending design development
9 File Room - 1			6' x 8' approx., 1st Floor
10 Med. Staff Office - 1			Psychiatrist, 1st floor
11 Med. Staff Office - 2			Psychiatrist, 1st floor
12 Med. Staff Office - 3			P.A., 1st floor
13 PCIT - 1			Office with observation room, one way glass, proper lighting
14 PCIT - 2			Office with observation room, one way glass, proper lighting
15 PCIT - 3			Office with observation room, one way glass, proper lighting
16 Therapy Offices - #TBD			Quantity TBD based on space available
17 Elevator			Accessed from 1st floor waiting rooms

B. FRIENDSHIP HOUSE - 1509 Maple Ave.			
SPACE			COMMENTS
Community Services			
1 Offices			26 required, staff is mobile but needs dedicated office, locations TBD pending existing space available
2 Break Room			30 seats, separated, team meetings, use and convert existing lobby outpatient lobby - remove existing vestibule, install film on glass doors for privacy
3 File / Storage			Convert existing PCIT observation room
Healthcare Quality Unit			
1 Office - 1			
2 Office - 2			
3 Open Office for 8-10			
# Break Out Space			Possible soft seating or table/ chairs
# Copy / File / Storage			

ADVOCACY ALLIANCE/FRIENDSHIP HOUSE

PROPOSED RENOVATIONS

hemmler + camayd architects



PRELIMINARY PROGRAM

5

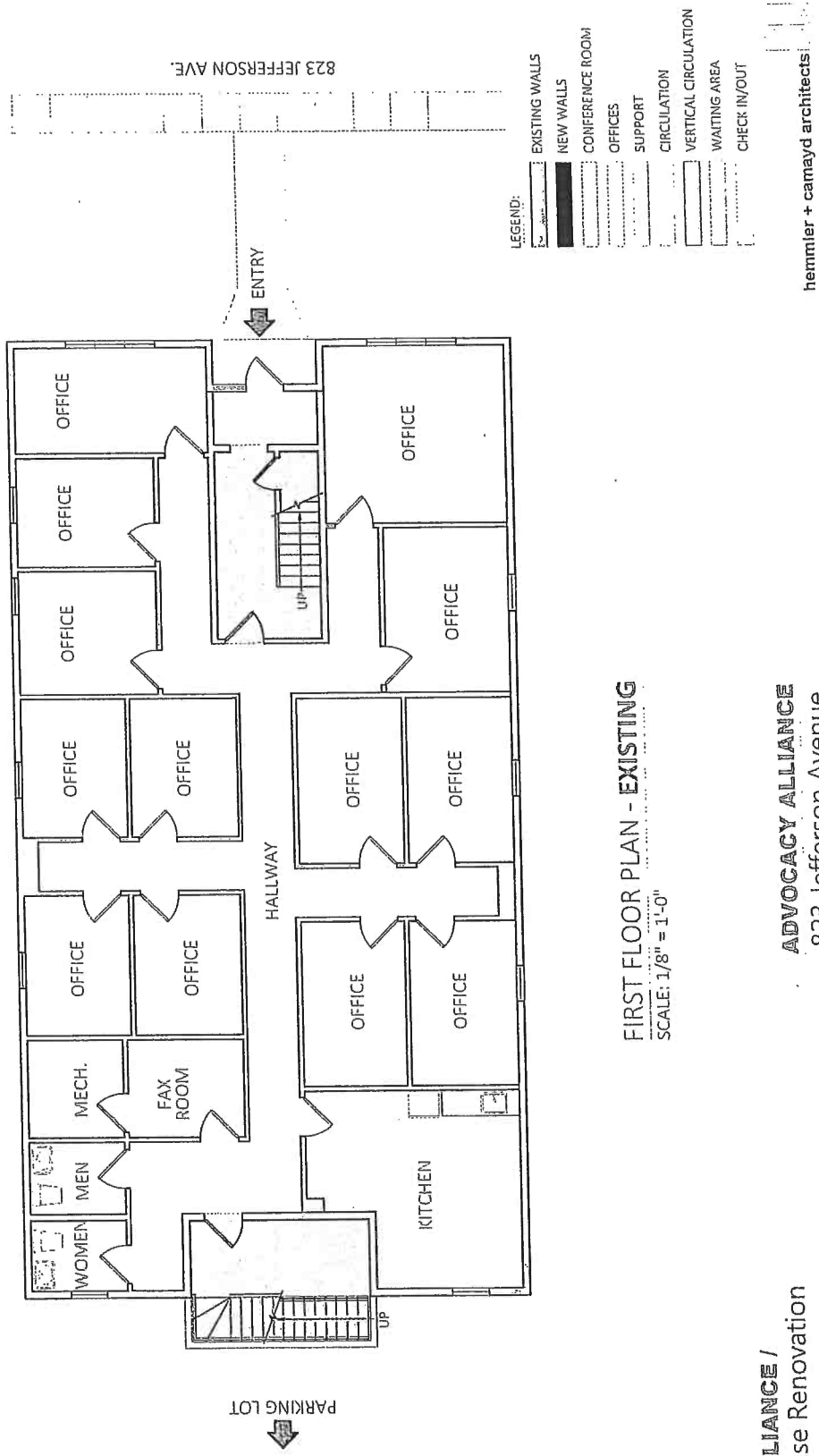
# ADVOCACY ALLIANCE 823 JEFFERSON



ADVOCACY ALLIANCE/FRIENDSHIP HOUSE  
PROPOSED RENOVATIONS  
hemmler + camayd architects



6



# FIRST FLOOR PLAN - EXISTING

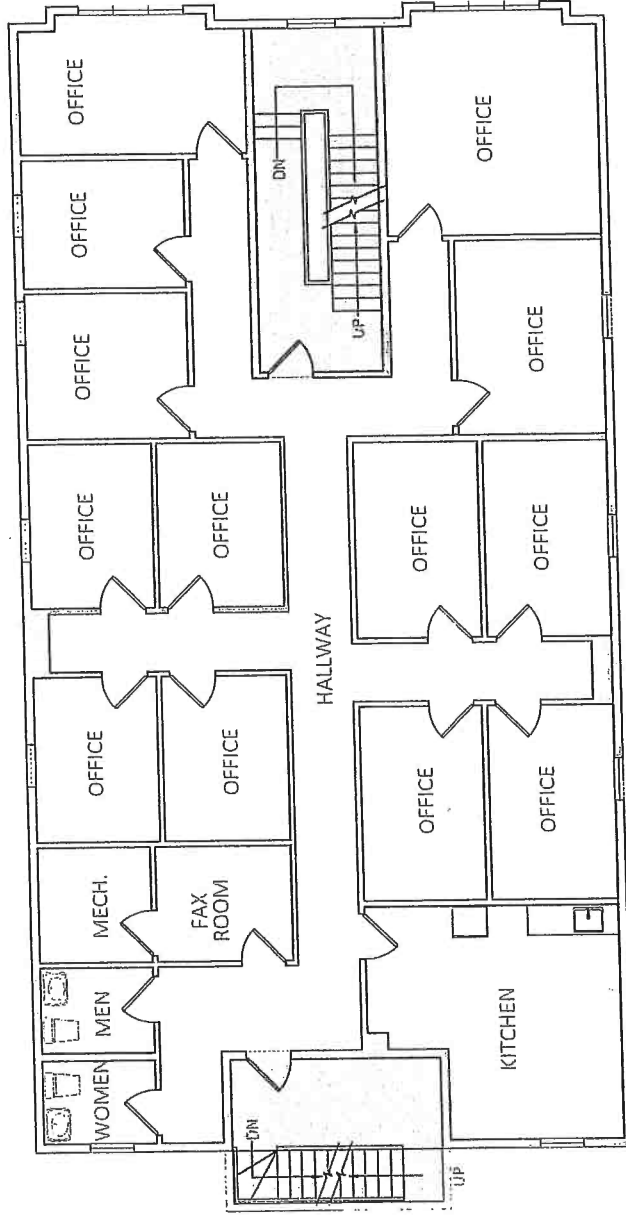
**ADVOCACY ALLIANCE /**  
 Friendship House Renovation  
 Scranton, Pennsylvania  
 SEPTEMBER 2019

**ADVOCACY ALLIANCE**  
 823 Jefferson Avenue

**ADVOCACY ALLIANCE/FRIENDSHIP HOUSE**  
 PROPOSED RENOVATIONS  
 hemmler + camayd architects



**FIRST FLOOR EXISTING 7**  
**ADVOCACY ALLIANCE 823 JEFFERSON**



## SECOND FLOOR PLAN - EXISTING

SCALE: 1/8" = 1'-0"

**ADVOCACY ALLIANCE /**  
Friendship House Renovation

Scranton, Pennsylvania  
SEPTEMBER 2019

**ADVOCACY ALLIANCE/FRIENDSHIP HOUSE**  
PROPOSED RENOVATIONS

hemmler + camayd architects

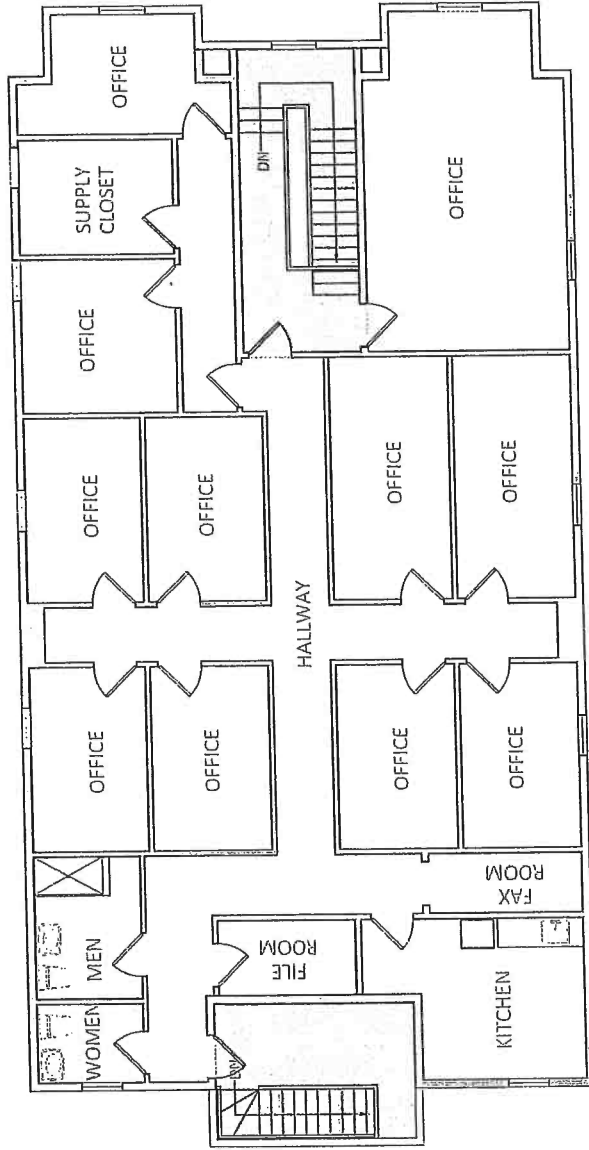


### LEGEND:

	EXISTING WALLS
	NEW WALLS
	CONFERENCE ROOM
	OFFICES
	SUPPORT
	CIRCULATION
	VERTICAL CIRCULATION
	WAITING AREA
	CHECK IN/OUT

hemmler + camayd architects

**SECOND FLOOR EXISTING**  
**ADVOCACY ALLIANCE 823 JEFFERSON**



THIRD FLOOR PLAN - EXISTING  
SCALE: 1/8" = 1'-0"

**ADVOCACY ALLIANCE /**  
Friendship House Renovation  
September 2003

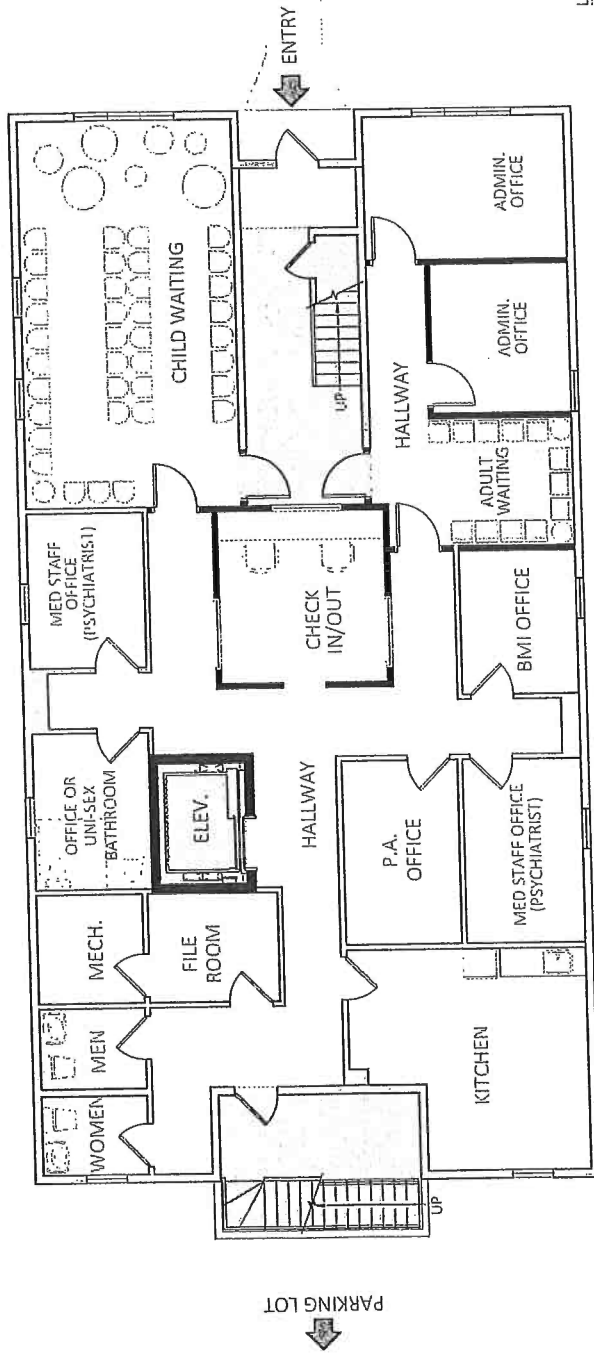
**ADVOCACY ALLIANCE**  
823 Jefferson Avenue

hemmler + camayd architects

**ADVOCACY ALLIANCE/FRIENDSHIP HOUSE**  
PROPOSED RENOVATIONS  
hemmler + camayd architects



THIRD FLOOR EXISTING 9  
ADVOCACY ALLIANCE 823 JEFFERSON



823 JEFFERSON AVE.

PARKING LOT

ENTRY

HALLWAY

HALLWAY

KITCHEN

P.A. OFFICE

MED STAFF OFFICE (PSYCHIATRIST)

BMI OFFICE

ADULT WAITING

ADMIN. OFFICE

ADMIN. OFFICE

CHILD WAITING

MED STAFF OFFICE (PSYCHIATRIST)

OFFICE OR UNI-SEX BATHROOM

MECH.

FILE ROOM

WOMEN

MEN

ELEV.

UP

UP

CHECK IN/OUT

LEGEND:

- EXISTING WALLS
- NEW WALLS
- CONFERENCE ROOM
- OFFICES
- SUPPORT
- CIRCULATION
- VERTICAL CIRCULATION
- WAITING AREA
- CHECK IN/OUT

STATS:  
RENOVATION: 2,882 S.F.  
(6) OFFICES

### FIRST FLOOR PLAN - PROPOSED

SCALE: 1/8" = 1'-0"

**ADVOCACY ALLIANCE /**  
Friendship House Renovation  
Scranton, Pennsylvania  
SEPTEMBER 2019

**ADVOCACY ALLIANCE**  
823 Jefferson Avenue

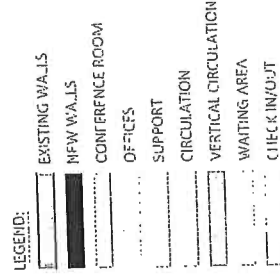
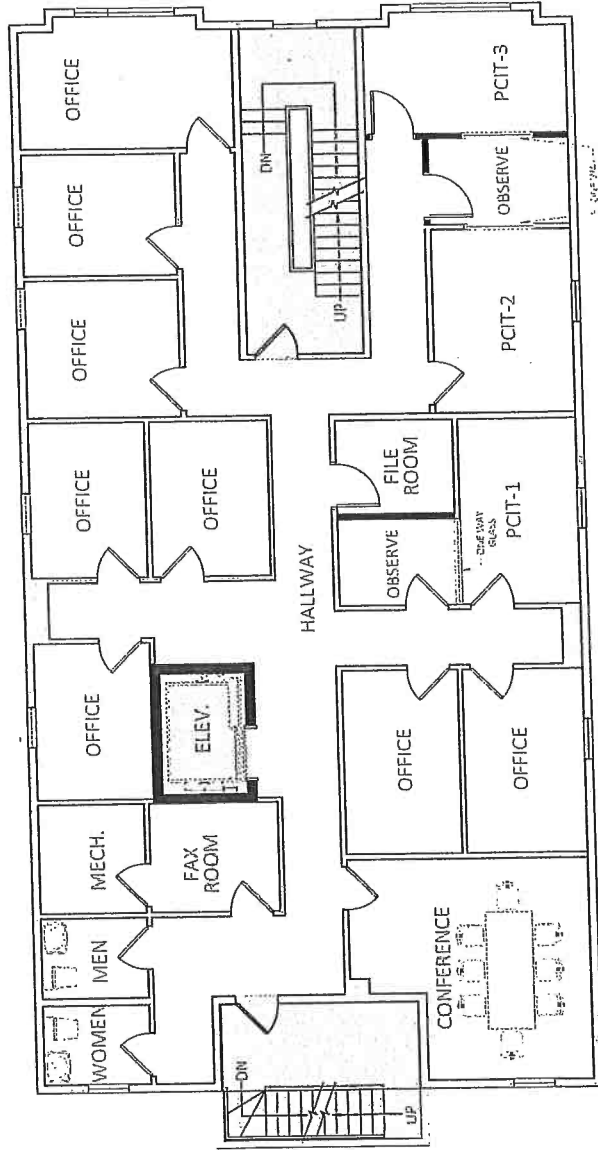
hemmler + camayd architects

**ADVOCACY ALLIANCE/FRIENDSHIP HOUSE**  
PROPOSED RENOVATIONS  
hemmler + camayd architects



**FIRST FLOOR PROPOSED**  
**10**  
**ADVOCACY ALLIANCE 823 JEFFERSON**

STATS: 3,067 S.F.  
 RENOVATION:  
 (6) OFFICES  
 (3) PCIT  
 (2) OBSERVATION



hemmler + camayd architects

## SECOND FLOOR PLAN - PROPOSED

SCALE: 1/8" = 1'-0"

**ADVOCACY ALLIANCE /**  
 Friendship House Renovation

STATION, PENNSYLVANIA  
 SEPTEMBER 2019

**ADVOCACY ALLIANCE**  
 823 Jefferson Avenue

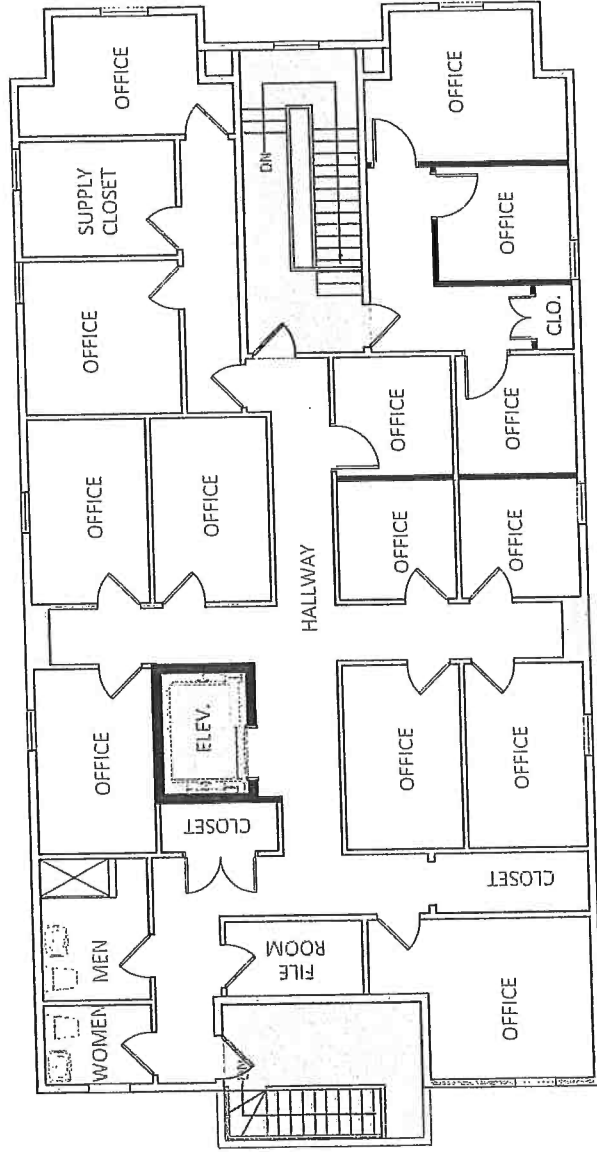
**ADVOCACY ALLIANCE/FRIENDSHIP HOUSE**  
 PROPOSED RENOVATIONS



hemmler + camayd architects

**SECOND FLOOR PROPOSED**  
**11**  
**ADVOCACY ALLIANCE 823 JEFFERSON**

STATS:  
RENOVATION: 3,030 S.F.  
(14) OFFICES



- LEGEND:
- EXISTING WALLS
  - NEW WALLS
  - CONFERENCE ROOM
  - OFFICES
  - SUPPORT
  - CIRCULATION
  - VERTICAL CIRCULATION
  - WAITING AREA
  - CHECK IN/OUT

hemmler + camayd architects

### THIRD FLOOR PLAN - PROPOSED

SCALE: 1/8" = 1'-0"

**ADVOCACY ALLIANCE /**  
Friendship House Renovation

ARCHITECT: FEMMA JORDAN  
SEPTEMBER 2005

**ADVOCACY ALLIANCE/FRIENDSHIP HOUSE**  
PROPOSED RENOVATIONS

hemmler + camayd architects



**THIRD FLOOR PROPOSED**  
**ADVOCACY ALLIANCE 823 JEFFERSON**

**12**



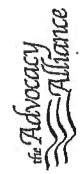
ADVOCACY ALLIANCE/FRIENDSHIP HOUSE  
PROPOSED RENOVATIONS



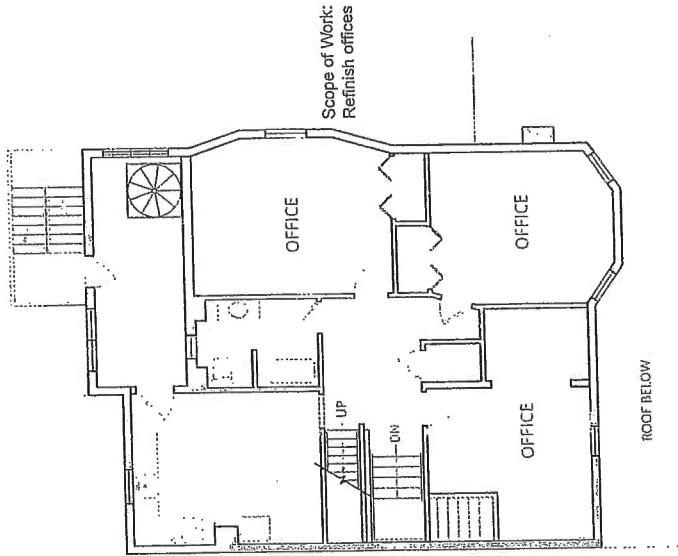
hemmler + camayd architects



# ADVOCACY ALLIANCE 841 JEFFERSON



ADVOCACY ALLIANCE/FRIENDSHIP HOUSE  
PROPOSED RENOVATIONS  
hemmler + camayd architects



SECOND FLOOR PLAN - PROPOSED

SCALE: 1/8" = 1'-0"

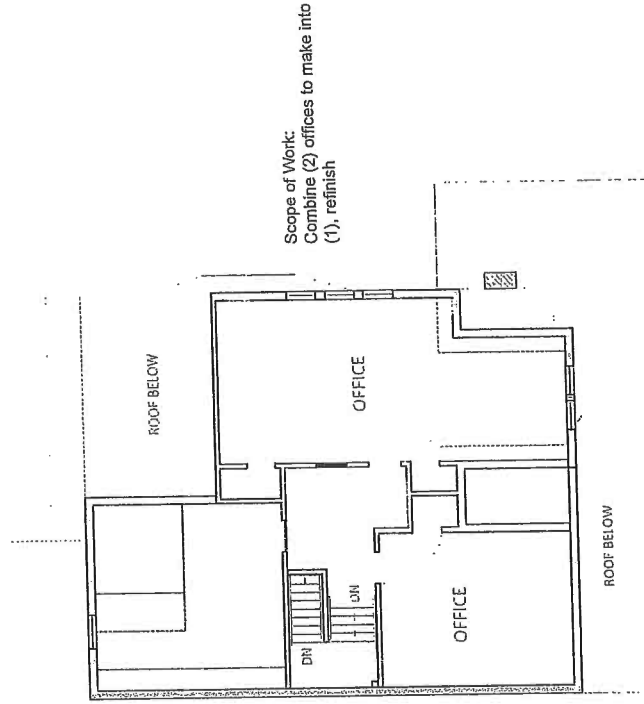
STATS:  
SECOND FLOOR RENOVATION: 614 SF  
THIRD FLOOR RENOVATIONS: 330 SF

**ADVOCACY ALLIANCE /**  
Friendship House Renovation

Scranton, Penna. 18503  
SEPTEMBER 2010

**ADVOCACY ALLIANCE/FRIENDSHIP HOUSE**  
PROPOSED RENOVATIONS

hemmler + camayd architects



THIRD FLOOR PLAN - PROPOSED

SCALE: 1/8" = 1'-0"

LEGEND:  
EXISTING WALLS  
NEW WALLS  
OFFICES

**ADVOCACY ALLIANCE**  
841 Jefferson Avenue

hemmler + camayd architects

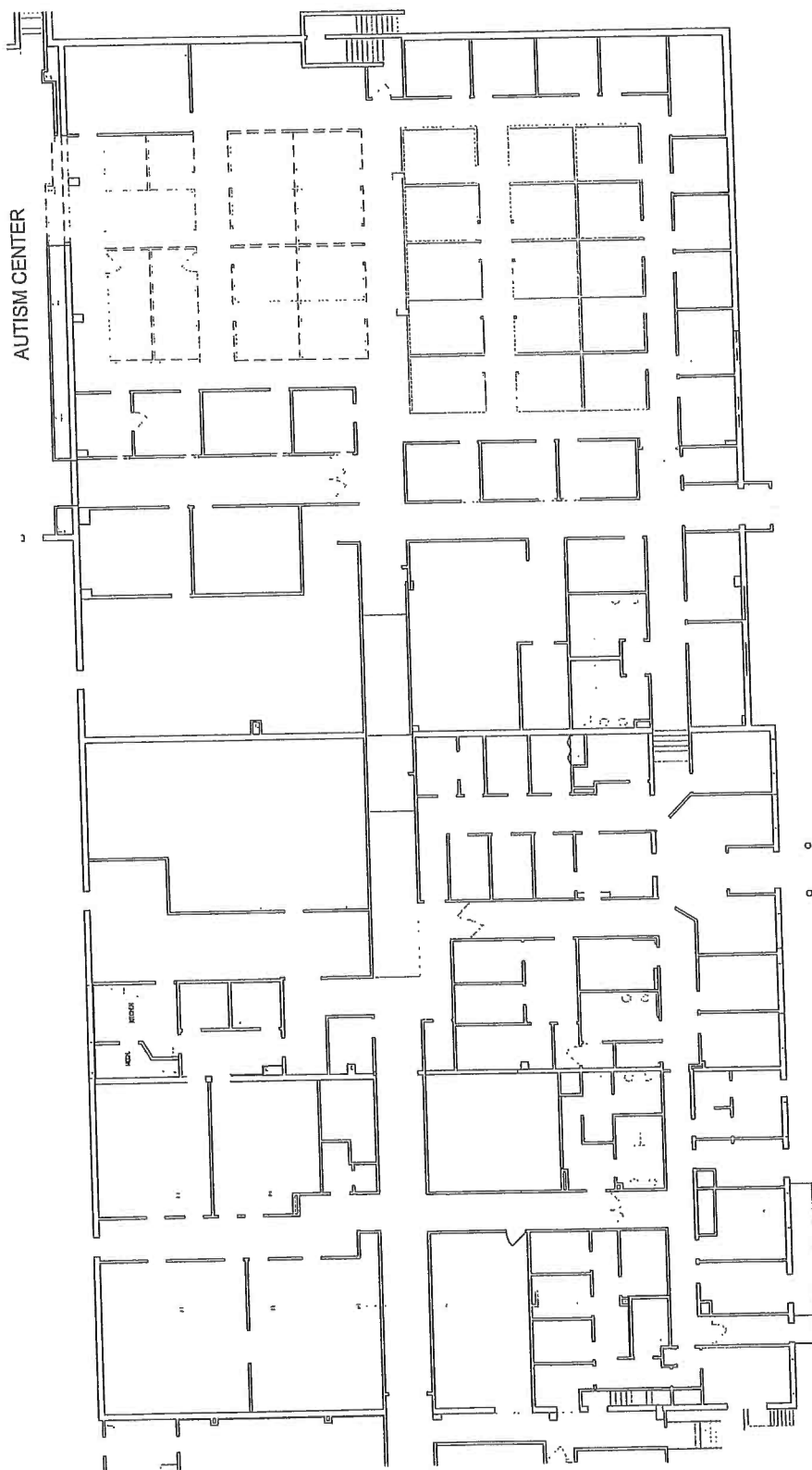
SECOND & THIRD FLOORS PROPOSED  
ADVOCACY ALLIANCE 841 JEFFERSON

15

# FRIENDSHIP HOUSE 1509 MAPLE



ADVOCACY ALLIANCE/FRIENDSHIP HOUSE  
PROPOSED RENOVATIONS  
Friendship House  
hemmler + camayd architects



FIRST FLOOR PLAN - EXISTING  
SCALE: 1/8" = 1'-0"

**FRIENDSHIP HOUSE**  
1509 Maple Avenue

hemmler + camayd architects



FIRST FLOOR EXISTING 17  
FRIENDSHIP HOUSE 1509 MAPLE

**ADVOCACY ALLIANCE /**  
Friendship House Renovation

2151 East 12th Avenue, Suite 100  
Springfield, IL 62761

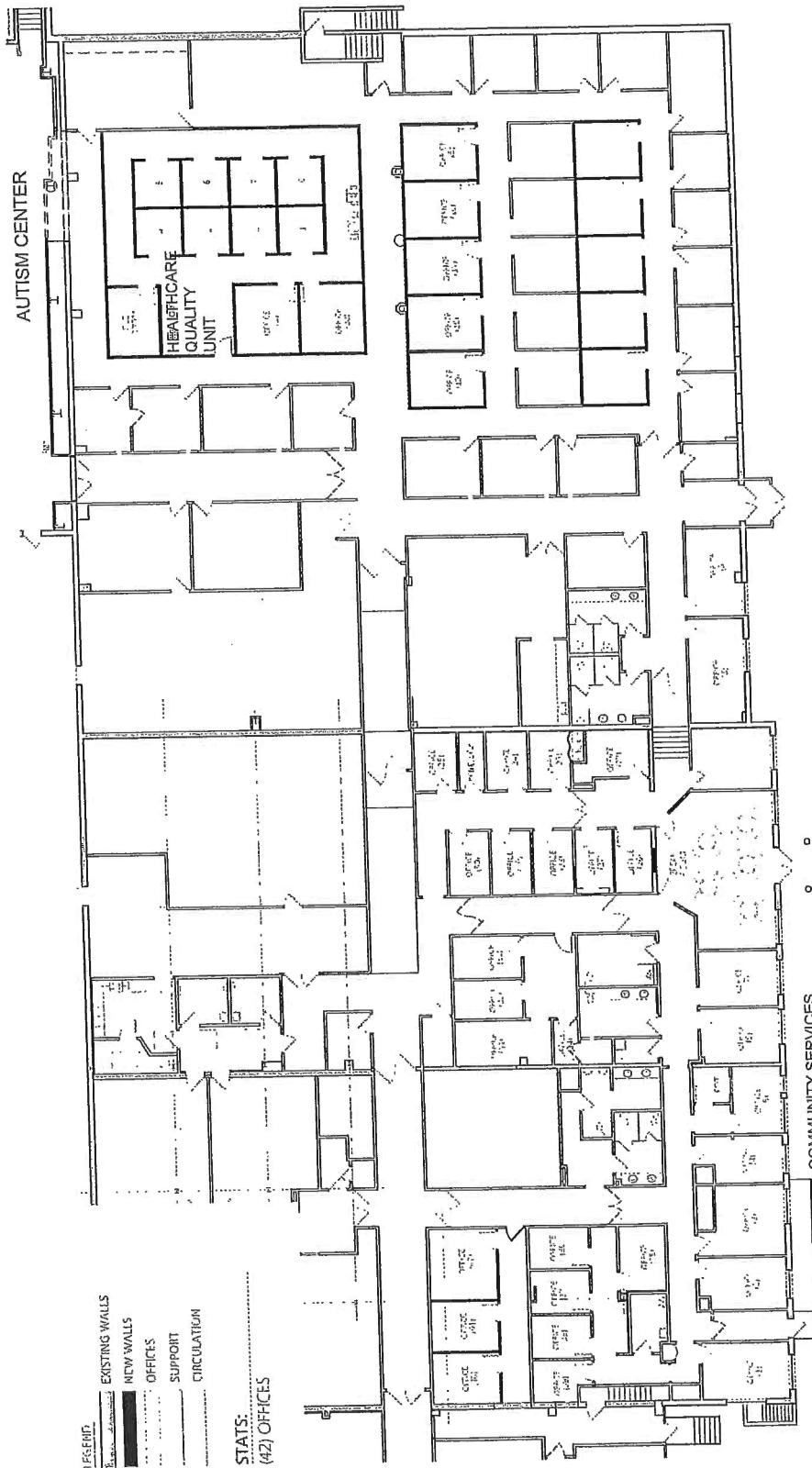
**ADVOCACY ALLIANCE/FRIENDSHIP HOUSE**  
PROPOSED RENOVATIONS

hemmler + camayd architects



Friendship House

*the Advocacy Alliance*





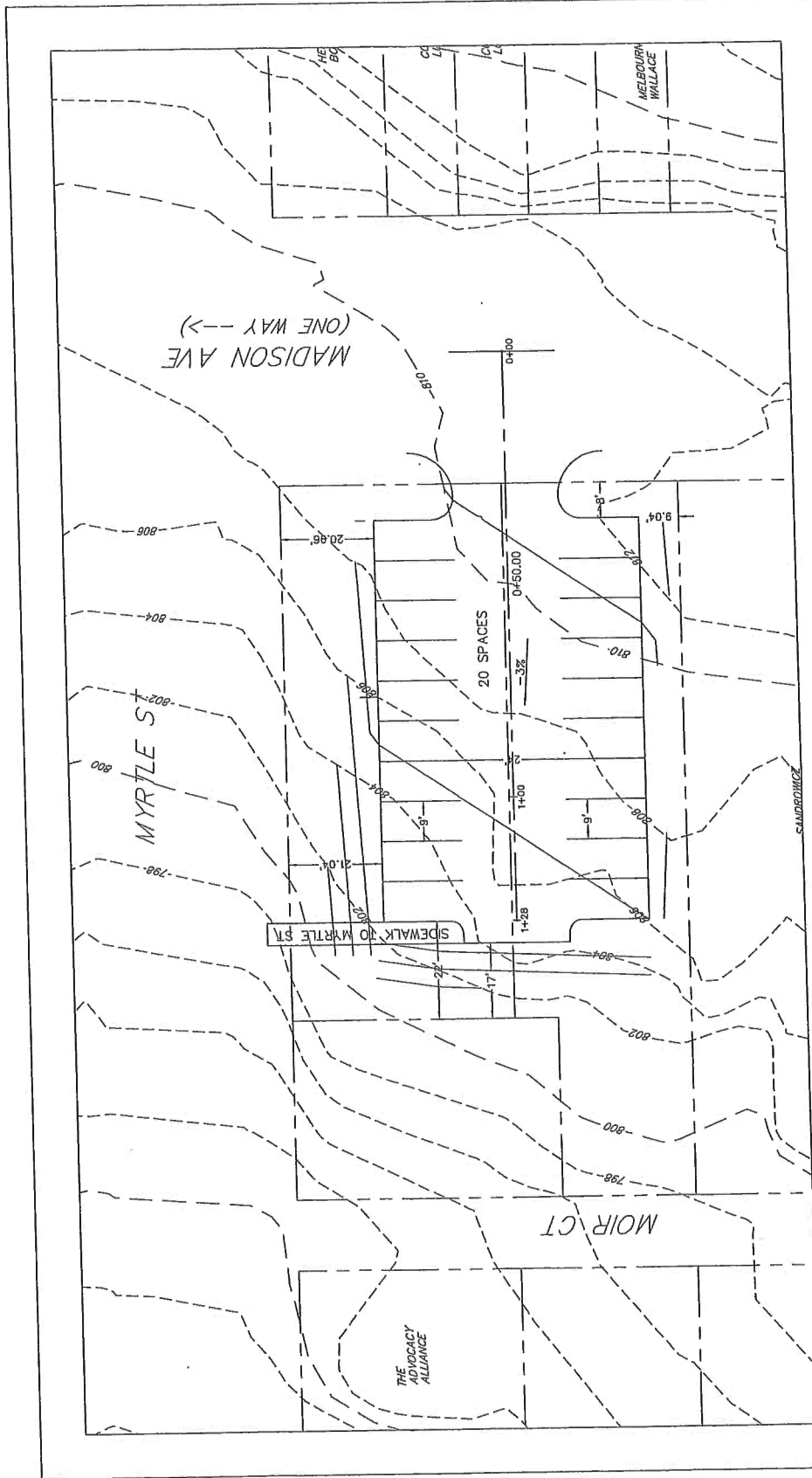
ADVOCACY ALLIANCE/FRIENDSHIP HOUSE  
PROPOSED RENOVATIONS  
hemmler + camayd architects

# ADVOCACY ALLIANCE PARKING MYRTLE & MADISON



ADVOCACY ALLIANCE/FRIENDSHIP HOUSE  
PROPOSED RENOVATIONS  
hermler + camayd architects





PREPARED BY: <b>reuther+brown</b> Engineering, Design, Construction Services WWW.REUTHERBROWN.COM PHONE (670) 456-7020	PROJECT TITLE: <b>MYRTLE AVE PARKING LOT</b>	OWNER: <b>Advocacy Alliance Scranton</b>	TITLE: <b>LAYOUT 2</b>	
			DATE ISSUED: 10/15/18	DRAWN BY: BJV
		SCALE: AS SHOWN		SKETCH NO. <b>SKS-2</b>

**ADVOCACY ALLIANCE/FRIENDSHIP HOUSE**  
**PROPOSED RENOVATIONS**  
 hemmler + camayd architects



the Advocacy  
 Alliance

ADVOCACY ALLIANCE PARKING 21  
 MYRTLE & MAPLE

# ORDER OF MAGNITUDE BUDGET

ADVOCACY ALLIANCE/FRIENDSHIP HOUSE  
PROPOSED RENOVATIONS  
hemmler + camayd architects



ORDER OF MAINTENANCE BUDGET					
THE ADVOCACY ALLIANCE / FRIENDSHIP HOUSE					
RENOVATION - THE ALLIANCE ADVOCACY #B Jefferson Ave.					
SCOPE	QTY	UNITS	\$ / SF	TOTAL	COMMENTS
Third Floor - Outpatient					
Waiting - Children	463	sf	\$75.00	\$34,725.00	Re-finish
Waiting - Adult	130	sf	\$75.00	\$9,750.00	Re-finish
Check In / Out	85	sf	\$75.00	\$6,375.00	Re-finish
Ball	84	sf	\$75.00	\$6,300.00	Re-finish
Waiting - Outpatient	140	sf	\$75.00	\$10,500.00	Re-finish
Office - 1	90	sf	\$75.00	\$6,750.00	Re-finish
Med. Staff Office - 1	89	sf	\$75.00	\$6,675.00	Re-finish
Med. Staff Office - 2	111	sf	\$75.00	\$8,325.00	Re-finish
Med. Staff Office - 3	111	sf	\$75.00	\$8,325.00	Re-finish
Common Corridor / Elevator factor	510	sf	\$75.00	\$38,250.00	Re-finish
Kitchen	254	sf	\$75.00	\$19,050.00	Re-finish
File	68	sf	\$75.00	\$5,100.00	Re-finish
Men	42	sf	\$75.00	\$3,150.00	Re-finish
Men	56	sf	\$75.00	\$4,200.00	Re-finish
Mech.				\$0.00	
Second Floor - Outpatient					
Office	128	sf	\$25.00	\$3,200.00	Re-finish
Office	85	sf	\$25.00	\$2,125.00	Re-finish
Office	100	sf	\$25.00	\$2,500.00	Re-finish
Office	84	sf	\$25.00	\$2,100.00	Re-finish
Office	84	sf	\$25.00	\$2,100.00	Re-finish
Office	111	sf	\$25.00	\$2,775.00	Re-finish
Office	111	sf	\$25.00	\$2,775.00	Re-finish
Office	108	sf	\$25.00	\$2,700.00	Re-finish
PCT - 1	1	sf	\$75.00	\$75.00	Re-finish
Observ	139	sf	\$75.00	\$10,425.00	Re-finish
PCT - 2	57	sf	\$75.00	\$4,275.00	Re-finish
PCT - 3	112	sf	\$75.00	\$8,400.00	Re-finish
Conference Room	564	sf	\$75.00	\$42,300.00	Re-finish
File Room	60	sf	\$25.00	\$1,500.00	Re-finish
Common Corridor / Elevator factor	52	sf	\$25.00	\$1,300.00	Re-finish
Men	42	sf	\$75.00	\$3,150.00	Re-finish
Men	42	sf	\$75.00	\$3,150.00	Re-finish
Mech.	56	sf	\$75.00	\$4,200.00	Re-finish
Third Floor - Outpatient					
Waiting - Outpatient	241	sf	\$75.00	\$18,075.00	Re-finish
Waiting - Adult	78	sf	\$75.00	\$5,850.00	Re-finish
Office	73	sf	\$75.00	\$5,475.00	Re-finish
Office	73	sf	\$75.00	\$5,475.00	Re-finish
Office	12	sf	\$75.00	\$900.00	Re-finish
Office	97	sf	\$75.00	\$7,275.00	Re-finish
Office	115	sf	\$75.00	\$8,625.00	Re-finish
Office	100	sf	\$75.00	\$7,500.00	Re-finish
Office	100	sf	\$75.00	\$7,500.00	Re-finish
Office	100	sf	\$75.00	\$7,500.00	Re-finish
Office	100	sf	\$75.00	\$7,500.00	Re-finish
Office	100	sf	\$75.00	\$7,500.00	Re-finish
Office	146	sf	\$25.00	\$3,650.00	Re-finish

	B8	#	\$75.00	\$6,000.00
Squash Court	47	#	\$75.00	\$3,925.00
Fish Room	78	#	\$75.00	\$3,925.00
Closet	77	#	\$75.00	\$3,925.00
Closet	59	#	\$25.00	\$13,750.00
Common Corridor / Stairing Factor	32	#	\$25.00	\$1,000.00
Pile	42	#	\$40.00	\$3,600.00
Main	95	#	\$40.00	\$3,600.00
Mech.	56	#	\$0.00	\$0.00
Elevator	1	b	\$100,000.00	\$100,000.00
Elevator Shaft	1	b	\$200,000.00	\$200,000.00
Status - Interior	1	b	\$18,000.00	\$18,000.00
Status - Exterior			No work proposed	
Excavate work - TBD	1	b	\$15,000.00	\$15,000.00
SUB-TOTAL				\$676,770.00
Overhead Profit - 8%				\$54,141.60
TOTAL				\$730,911.60

<b>RENOVATION - FRIENDSHIP HOUSE - 2509 Maple Ave.</b>					
<b>SCOPE</b>	<b>QTY</b>	<b>UNITS</b>	<b>\$ / SF</b>	<b>TOTAL</b>	<b>COMMENTS</b>
<b>Office Services</b>					
Officer - (18) to work required	2,900	SF	\$75.00	\$217,500.00	
Officer - (12) new construction	900	SF	\$25.00	\$22,500.00	
Officer - (7) to be refurnished					
	1	Lt	\$5,000.00	\$5,000.00	Separated, team meetings, use and convert existing lobby outpatient lobby - remove existing vestibule, install film on glass doors for privacy
Break Room					
	1	Lt	\$2,500.00	\$2,500.00	Convert existing PCIT observation room, install walking one way glass
Filer / Storage					
Healthcare Quality Unit					
Officer - 1	120	SF	\$55.00	\$11,400.00	
Officer - 2	120	SF	\$55.00	\$11,400.00	
Open Office for E-30 Break Out Space	3,000	SF	\$50.00	\$150,000.00	Possible soft-seating or tables / chairs
Coverly / Filer / Storage	120	SF	\$55.00	\$21,000.00	
<b>SUB-TOTAL</b>				<b>\$427,140.00</b>	
<b>Estimated Profit - 8%</b>				<b>\$34,171.20</b>	
<b>TOTAL</b>				<b>\$461,311.20</b>	

RENOVATION - 241 Jefferson Ave.				
SCOPE	QTY	UNITS	\$ / SF	TOTAL COMMENTS
3rd Floor: Offices to be refurnished - (2)	400	sf	\$25.00	\$10,000.00
3rd Floor: Offices to be refurnished - (2)	550	sf	\$75.00	\$41,250.00
3rd Floor: Office - combine 2 into 1 large office				Office relocated from 2nd floor
SUB-TOTAL				\$51,250.00
Overhead and Profit - 8%				\$2,500.00
TOTAL				\$53,750.00

NEW PARKING LOT on Madison Ave and Myrtle St.				
SCOPE	QTY	UNITS	\$ / SF	TOTAL COMMENTS
Parking spaces	20	ea	\$3,800.00	\$76,000.00
Landscape	2	lb	\$4,000.00	\$8,000.00
SUB-TOTAL				\$84,000.00
Overhead and Profit - 8%				\$6,700.00

CONSTRUCTION TOTAL	\$1,372,692.80
SUB-TOTAL	\$65,304.64
CONTINGENCY - 5%	
TOTAL - ALL (41) PROJECTS	\$2,588,397.44



 **ADVOCACY ALLIANCE/FRIENDSHIP HOUSE  
PROPOSED RENOVATIONS**  
hemmler + camayd architects





## DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

September 19, 2019

RECEIVED

SEP 20 2019

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

OFFICE OF CITY  
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION RATIFYING AND APPROVING OF THE EXECUTION AND SUBMISSION OF THE GRANT APPLICATION BY THE CITY OF SCRANTON, ON BEHALF OF THE HUMAN SERVICES ALLIANCE, TO THE COMMONWEALTH OF PENNSYLVANIA ACTING THROUGH THE COMMONWEALTH FINANCING AUTHORITY FOR A LOCAL SHARE ACCOUNT GRANT, PURSUANT TO THE PA RACE HORSE DEVELOPMENT AND GAMING ACT IN THE AMOUNT OF \$350,000.00 FOR THE PROJECT TO BE KNOWN AS " HUMAN SERVICES ALLIANCE - A BUILDING AND GROUNDS IMPROVEMENT PROJECT" LOCATED AT 1509 MAPLE STREET, 823 JEFFERSON AVENUE, 841 JEFFERSON AVENUE, AND THE CORNER OF MYRTLE AND MADISON AVENUE, SCRANTON, PENNSYLVANIA, AND AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS OF THE CITY OF SCRANTON, PA, TO ACCEPT THE GRANT, IF SUCCESSFUL, AND EXECUTE AND ENTER INTO A LOCAL SHARE ACCOUNT GRANT CONTRACT AND COMMITMENT LETTER WITH THE COMMONWEALTH OF PENNSYLVANIA TO ACCEPT AND UTILIZE THE GRANT IN THE AMOUNT OF \$350,000.00 AWARD ED BY THE COMMONWEALTH OF PENNSYLVANIA FOR SUCH PROJECT.

Respectfully,

Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl